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1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

3 X

4 UNITED STATES OF AMERICA, : 19-CR-286(AMD)
5 Plaintiff, : United States Courthouse
6 -against- : Brooklyn, New York
7 ROBERT SYLVESTER KELLY, :
8 Defendant. : August 24, 2021
9 : 9:30 o'clock a.m.
10 X

11 REDACTED TRANSCRIPT OF TRIAL
12 BEFORE THE HONORABLE ANN M. DONNELLY
13 UNITED STATES DISTRICT JUDGE, and a jury.

14 APPEARANCES:

15 For the Government: JACQUELYN M. KASULIS
16 Acting United States Attorney
17 BY: ELIZABETH GEDDES
18 NADIA SHIHATA
19 MARIA E. CRUZ MELENDEZ
20 Assistant United States Attorneys
21 271 Cadman Plaza East
22 Brooklyn, New York

23 For the Defendant: DEVEREAUX L. CANNICK, ESQ.
24 NICOLE BLANK BECKER, ESQ.
25 THOMAS FARINELLA, ESQ.
 CALVIN HAROLD SCHOLAR, ESQ.

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30 Proceedings recorded by mechanical stenography, transcript
31 produced by computer-aided transcription.

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1 (In open court; outside the presence of the jury.)

2 THE COURT: So I just want to make sure. Does the
3 defense, do you guys have binders of the exhibits? Yes?

4 MR. CANNICK: We printed, we printed them.

5 THE COURT: Right. But did you -- I mean you
6 provided me with these binders. Does the defense have that?

7 MR. CANNICK: No, we don't have that binder. We
8 generally get it in most trials but we don't have it.

9 THE COURT: I just want to make sure that you have
10 the exhibits for the particular witness so we don't have to
11 take a pause. Do you have the exhibits for this witness?

12 MS. GEDDES: Last night, I advised the defense
13 counsel, I advised Mister -- I'm sorry.

14 THE COURT: That's all right.

15 MS. GEDDES: Last night, I advised Mr. Farinella of
16 the particular exhibits that I was using with this witness so
17 they do have the, they know the particular exhibits that we're
18 going to use and they have electronic copies of everything and
19 I think there's only four or five exhibits.

20 THE COURT: All right.

21 MS. GEDDES: And, of course, we gave the defense
22 electronic copies of every single exhibit that we are using in
23 this trial.

24 THE COURT: Well, I take it it's the 3500 material
25 and the discovery as well?

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1 MS. GEDDES: And it's also provided in discovery.

2 THE COURT: All right.

3 MS. GEDDES: Your Honor, may we approach briefly
4 whenever you're ready?

5 THE COURT: Sure.

6 (Continued on next page.)

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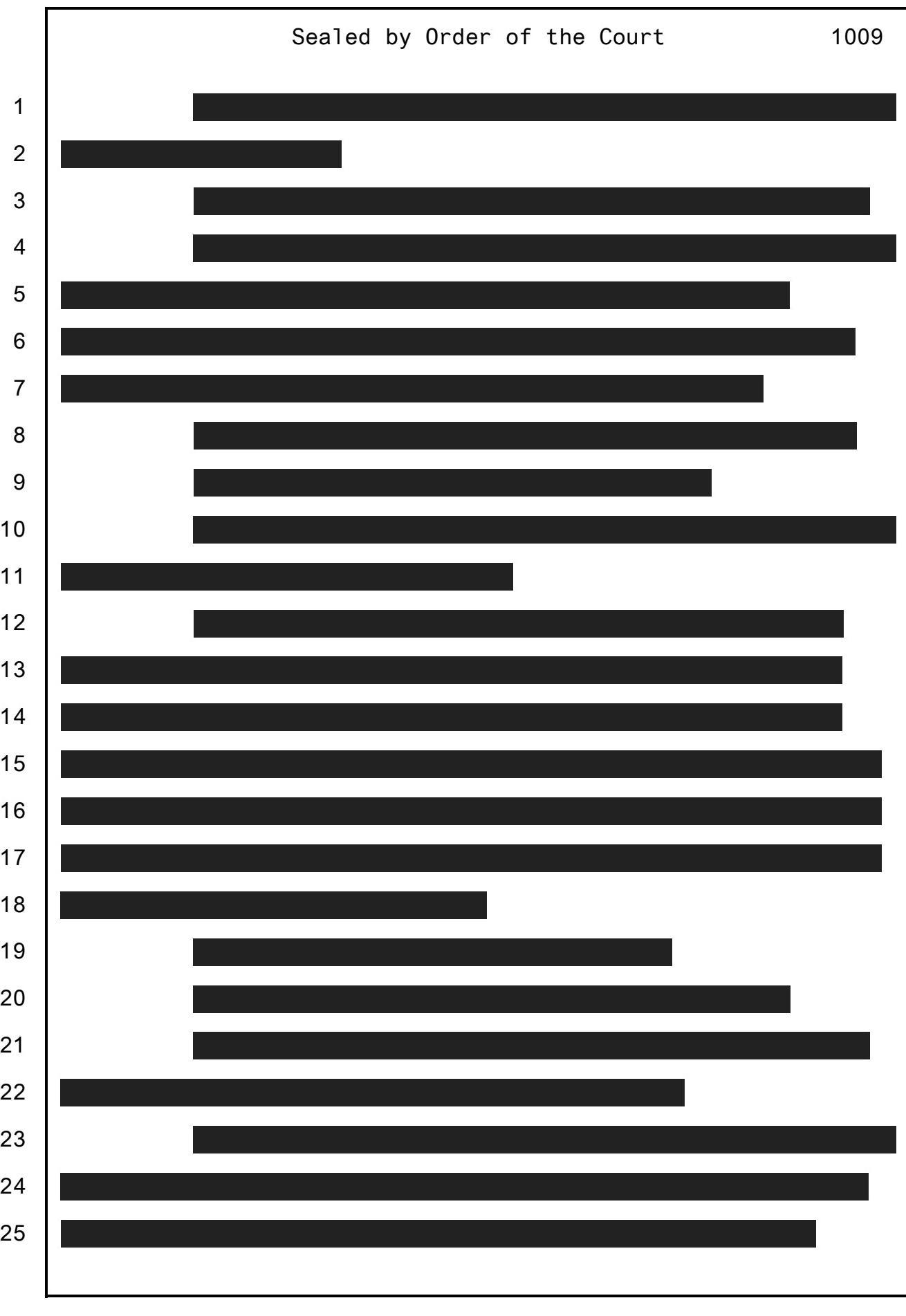
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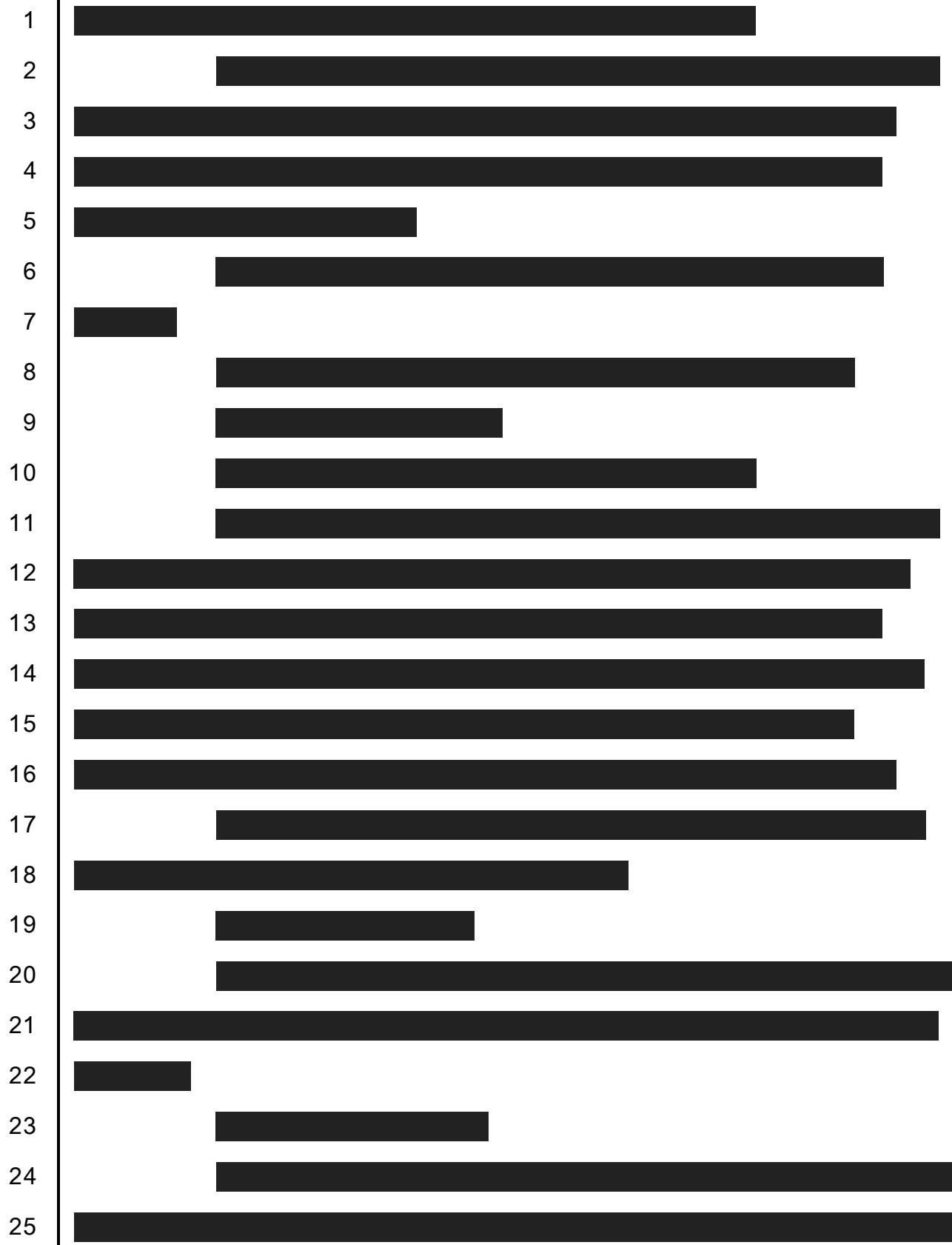
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Sealed by Order of the Court

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CMH

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RMR

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Sidebar

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1 THE COURT: All right. We're going to be in recess
2 for -- I know you want some time to talk to Mr. Kelly.

3 MR. CANNICK: Yes.

4 THE COURT: You need some time to talk to your
5 witness. We'll start at 10, 5 minutes past ten.

6 MR. CANNICK: Thank you, Your Honor.

7 THE COURT: Mr. Cannick, would you like that sidebar
8 sealed?

9 MR. CANNICK: Yes, Your Honor.

10 (Recess taken.)

11 (In open court; outside the presence of the jury.)

12 THE COURT: If I can see everybody at side bar.

13 (The following occurred at sidebar.)

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

SEALED BY ORDER OF THE COURT

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1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]

10 (In open court; sidebar ends.)

11 THE COURT: All right. I think we're ready for the
12 witness.

13 I just want to clarify I think it's the case that
14 this witness is being referred to as "Jane" and nothing else.

15 Am I correct about that?

16 MS. GEDDES: That's correct, Your Honor. For this
17 trial, she has been called as "Jane" and she will not be
18 referred to in any other manner in this case.

19 THE COURT: Okay. Great. Let's get the witness.

20 MS. BLANK BECKER: Judge, I apologize. Maybe we can
21 approach.

22 THE COURT: Do we need the court reporter?

23 MS. BLANK BECKER: Yes.

24 THE COURT: Okay.

25 (Continued on next page.)

SEALED BY ORDER OF THE COURT

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CMH

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1 (In open court; outside the presence of the jury.)

2 THE COURT: Let's get the witness, please.

3 MS. BLANK BECKER: Judge, can that be sealed, that
4 conversation?

5 THE COURT: It already is.

6 (Witness resumes the stand.)

7 THE COURT: All right. Let's get the jury, please.

8 (Jury enters.)

9 THE COURT: All right. Good morning, ladies and
10 gentlemen.

11 Let me just first apologize for the delay. It's
12 nobody's fault. Sometimes we have matters that we have to
13 discuss and I think it's easier to do it without you in the
14 room rather than having you wait while we hammer things out at
15 the side so that's the reason for that, but we are ready to
16 continue with the direct examination.

17 Go ahead.

18 MS. GEDDES: May I proceed, Your Honor?

19 THE COURT: Yes.

20 THE CLERK: The witness is reminded that she's still
21 under oath.

22 THE WITNESS: Yes. Thank you.

23 (The witness, JANE, previously sworn, resumed.)

24 (Continued on next page.)

25

Jane - direct - Geddes

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1 DIRECT EXAMINATION (Continued)

2 BY MS. GEDDES:

3 Q Yesterday, you testified about some of the defendant's
4 assistants who helped out with his female guests including
5 yourself, is that correct?

6 A Yes.

7 Q Can you describe some of the matters in which some of the
8 defendant's female or assistants who assisted his female
9 guests would do?

10 A They would basically -- well, everything was at his
11 discretion but for the most part, any type of, any time we
12 needed food or toiletries or we just couldn't get in touch
13 with the defendant, you would reach out to them.

14 Q And when you say that it was at his discretion, what do
15 you mean?

16 A Meaning that he would tell us when we could text him and
17 when we could not. The only time we couldn't is when there
18 was an emergency, we couldn't get in touch with him.

19 Q I'm sorry. When you say, "The only time we couldn't,"
20 what did you mean by that?

21 A Meaning if it was an emergency and we could not get in
22 touch with him, meaning he wasn't answering his phones.

23 Q And what would happen in that event? What would you do
24 then?

25 A I would just say, Can you please get in touch with

Jane - direct - Geddes

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1 Mr. Kelly?

2 Q And you would then reach out to his assistants?

3 A Yes.

4 Q I want to make sure I understand. When you said the only
5 time you would do a certain thing, what were you describing?

6 A Just in case it was, like, an emergency, like, let's say
7 as an example, if my cycle came on and I needed tampons or I
8 needed to get in touch with him about something very important
9 and he wasn't answering his phones.

10 Q And what would you do in that event?

11 A I would say, Can you let Mr. Kelly know to check his
12 phones.

13 Q And if it wasn't an emergency, what contact would you
14 have with the defendant's assistants?

15 A None.

16 Q And, ultimately, who paid those assistants?

17 A The defendant.

18 Q And who was ultimately in charge of them?

19 A The defendant.

20 Q Yesterday, you testified about a video that you made and
21 this was the one where you testified about eating feces, is
22 that correct?

23 A Correct.

24 Q And you testified that when you showed it to the
25 defendant, he wasn't satisfied with it.

Jane - direct - Geddes

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1 A Correct.

2 Q Where were you when you showed it to the defendant?

3 A He was actually in the studio and he had taken it with
4 him and he had came back and he had said that he had watched
5 it and that I wasn't into it enough and that I would have to
6 redo it, not at that moment because it had been an hour after
7 and I had already changed and cleaned up, but he did express
8 that I would have to do it again. We just never got around to
9 it.

10 Q And was there another time when the defendant asked you
11 to do it?

12 A He did not and I did not remind him.

13 Q And just to be clear, when you said that he took it and
14 looked at it, what were you referring to?

15 A The video.

16 Q You testified yesterday about video recordings that the
17 defendant made using his iPad. Can you explain the time, just
18 the frequency with which the defendant made those videos when
19 you were 17?

20 A It was very frequent.

21 Q And can you explain when the defendant would make a video
22 and when he would not make a video of the times where you
23 engaged in sexual contact with the defendant?

24 A For the most part, any time we were going to a hotel or
25 on the tour bus, he would make sure that he had his backpacks

Jane - direct - Geddes

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1 with him, however, the only times that he really would not
2 record is maybe if it was after basketball or if we were in a
3 studio that his legal could pay for, like, moments that were
4 very quick, like inside the studio, booths, like, he really
5 wouldn't record those times.

6 Q And on other occasions, was he regularly recording you in
7 engaging in sexual activity with the defendant?

8 A Yes, he was.

9 Q Did you ever -- was there ever an occasion where the
10 defendant showed you videos that he made of you, including
11 when you were 17, years later?

12 A Yes, there was.

13 Q Can you describe that?

14 A I do recall a few years later, he had showed me a video
15 of me when I was 17 because I recall I had the same exact
16 hairstyle that I had when I met him at the show and he had
17 said, you know, Look at how tiny you used to be.

18 MR. CANNICK: Objection.

19 THE COURT: Are these the defendant's statements?

20 MS. GEDDES: Yes.

21 MR. CANNICK: It's not responsive.

22 THE COURT: Overruled. And turn on your microphone.
23 I don't want to miss an objection if you make it.

24 MR. CANNICK: Thank you.

25 Q I'm sorry. Can you describe what the defendant said when

Jane - direct - Geddes

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1 he was showing you a video?

2 A Yes. He was basically gloating and complimenting how
3 small I used to be.

4 Q And when you saw the video, when did you -- how old were
5 you -- I'm sorry. Withdrawn.

6 When you saw the video, how old were you, how old
7 did you think you were in the video itself?

8 A Oh, I know that I was 17 because my parents had paid for
9 that hairstyle before I had met him.

10 Q And I think you said that it was a hairstyle that you
11 wore close in time to the show.

12 A Yes.

13 Q Was that the show where you first met the defendant?

14 A Yes, it was.

15 Q When, if ever, did the defendant ask you to make a video
16 recording of you saying something negative about yourself?

17 A There were a few times where the defendant would do so
18 after chastising.

19 Q Can you describe the videos that the defendant told you
20 to make?

21 A Yes. Usually after he would chastise me, in the midst of
22 me still crying, he would usually record me and he would tell
23 me to walk back and forth and say that I was stupid and that I
24 was dumb and that I was so sorry, daddy.

25 Q And on how many occasions did the defendant tell you to

Jane - direct - Geddes

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1 make videos such as that?

2 A It was not that he would make me make videos like that.

3 It was usually after a chastising, if he was turned on, in
4 that moment, he would personally pull out --

5 MR. CANNICK: Objection.

6 THE COURT: Overruled.

7 A -- an iPad and record it himself.

8 Q And whose idea was it for you to say what you were saying
9 on the video?

10 A The defendant.

11 MS. GEDDES: One moment.

12 (Pause.)

13 Q Without saying who, were you aware of whether the
14 defendant asked other women to make similar videos?

15 A Yes, I was.

16 Q And how did you become aware of that?

17 A The defendant would show me other videos of women also
18 crying and saying very similar things about themselves.

19 Q And I'm showing what's in evidence as Government
20 Exhibit 76.

21 Was that one, was that one of the women who you saw
22 in a video saying something negative about herself?

23 A Yes.

24 Q Over the course of your five years with the defendant,
25 what, if any, restrictions did he put on your having contact

Jane - direct - Geddes

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1 with members of your family?

2 A Eventually, I could not talk to them at all because they
3 just would want to know of my well-being which was something
4 that he really did not want me to disclose.

5 Q What, if anything, did the defendant advise you to share
6 with your family?

7 A He only told me to talk to them about how I had been and
8 things pertaining to, like, nails, hair, the city that we were
9 in, however, any personal questions pertaining to, like, abuse
10 or other girlfriends, he would tell me to hang up immediately.

11 Q And are you referring to personal questions about abuse
12 and other girlfriends of the defendant's?

13 A Yes.

14 Q When you did speak with your family, where was the
15 defendant?

16 A He was usually present.

17 Q And did you also communicate by text message with your
18 family members?

19 A Yes, I did.

20 Q And when you sent those text messages, where was the
21 defendant?

22 A The defendant would tell me exactly what to say.

23 Q And when the defendant wasn't around, would you call and
24 text message your parents?

25 A No, only if he had me to.

Jane - direct - Geddes

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1 Q Why wouldn't you do that without the defendant?

2 A Because I would have gotten in trouble for doing so.

3 Q What, if anything, did the defendant do or say that made
4 you think that the defendant would find out about that?

5 A Usually he would basically talk badly about all of our
6 parents and if we were not angry enough, he would then get
7 upset and say that we were not loyal to him and make us feel
8 bad.

9 Q Was there anything that the defendant did that made you
10 think that he would find out if you violated one of his rules
11 and reached out to your family?

12 A Yes.

13 Q What did he say?

14 A He had expressed that he had engineers who knew how to
15 get inside the phones and go to the cloud and see who we have
16 been talking to.

17 Q Now, to your knowledge, did the defendant ever do that or
18 did the defendant's engineers ever do that?

19 A I don't know.

20 Q When you say the defendant had engineers, what do you
21 mean by engineers?

22 A His studio engineers. They did a lot of stuff pertaining
23 to, like, his gadgets and stuff along with his, like, studio
24 time.

25 Q And when you say gadgets, what are you referring to?

Jane - direct - Geddes

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1 A His, like, iPads and phones and stuff.

2 Q Did you learn the names of the defendant's engineers?

3 A Yes.

4 Q What are their names?

5 A Ian and Abel.

6 Q How did you learn their names?

7 A From the defendant.

8 Q Were you introduced to either Ian or Abel?

9 A Never.

10 Q Were you in Ian or Abel's presence?

11 A Yes, I had been in their presence a few times.

12 MS. GEDDES: I'm showing the witness only what's
13 been marked for identification as Government Exhibit 49.

14 Q What is shown in 49?

15 A That is one of his engineers, however, I don't, I don't
16 know their names. The only time I had seen them was in studio
17 sessions and their back was towards us so we never saw their
18 faces.

19 Q Okay. I'm sorry, do you know -- how many engineers did
20 the defendant have that you know of?

21 A It was two and they were Caucasian so I do know that this
22 is one of them.

23 Q Okay. But you don't know his name?

24 A Yes, I don't know his name.

25 MS. GEDDES: The government offers 49.

Jane - voir dire - Cannick

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1 THE COURT: Any objection?

2 MR. CANNICK: Yes.

3 You just testified that you never saw his face.

4 THE COURT: Do you want to voir dire this witness?

5 MR. CANNICK: Yes, Your Honor.

6 THE COURT: Okay.

7 VOIR DIRE EXAMINATION

8 BY MR. CANNICK:

9 Q You just testified that you never saw the face of the
10 engineers, am I correct?

11 A I was not allowed to look at men, yes.

12 Q That's not my question. My question is you just
13 testified and told the jury that you never saw their faces, am
14 I correct?

15 A I would see the side views, yes.

16 Q And you testified and told the jury a short while ago
17 that the only thing you could see were their backs, am I
18 correct?

19 A There were times where they would bring the defendant
20 coffees so I would see their face just very briefly.

21 Q So what you told the jury a short while ago --

22 THE COURT: Do you want to voir dire on whether she
23 recognizes him. Let's not do cross right now.

24 MR. CANNICK: I'm anxious.

25 THE WITNESS: I know that -- if you're asking me do

Jane - voir dire - Cannick

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1 I know if this is, I do.

2 MR. CANNICK: There's no question.

3 THE COURT: Just let him put a question to you.

4 Q You testified that you don't know the names of the
5 individuals?

6 A I do not.

7 Q And you testified that your recognition of this person --

8 A Well, sorry. I actually do know the names of them. I
9 just said it. Ian and Abel.

10 THE COURT: Do you know which one is Ian and which
11 one is Abel?

12 THE WITNESS: No. That I do not know.

13 MR. CANNICK: Objection, Judge.

14 THE COURT: Are you still objecting?

15 MR. CANNICK: Yes.

16 THE COURT: I just want to make sure that I
17 understand.

18 Do you recognize this person?

19 THE WITNESS: Yes, I do.

20 THE COURT: And how do you recognize the person?

21 THE WITNESS: Because he would bring the defendant
22 coffees, however, if I saw him, it was a very quick glimpse.
23 It was not because I was trying to look at him.

24 THE COURT: Okay. But the question is is this one
25 of the people that you saw --

Jane - direct - Geddes

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1 THE WITNESS: Yes, it is.

2 THE COURT: -- at the defendant's recording studio?

3 THE WITNESS: Yes, it is.

4 THE COURT: Do you have any further questions
5 regarding this exhibit?

6 MS. GEDDES: Just that we offer it. No, Your Honor.

7 THE COURT: Over the defense objection, it's
8 admitted.

9 (Government Exhibit 49 so marked).

10 MS. GEDDES: May we publish?

11 THE COURT: Yes.

12 MS. GEDDES: And I'm now showing the witness only
13 what's been marked for identification as Government
14 Exhibit 50.

15 DIRECT EXAMINATION (Continued)

16 BY MS. GEDDES:

17 Q Do you recognize Government Exhibit 50?

18 A I do, yes.

19 Q What is that?

20 A That is one of his engineers.

21 Q And, again, did you have an opportunity to see this
22 particular person?

23 A Yes, I did.

24 Q And where did you see this person?

25 A Usually in the control room.

Jane - direct - Geddes

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1 Q And when you say control room, what are you referring to?

2 A The studio.

3 Q And is that where the defendant's engineers worked?

4 A Yes.

5 Q And do you know this individual's name?

6 A I do not know him by their names. They would usually
7 work together side by side so when he would say Ian or Abel --

8 MR. CANNICK: Objection. This is not responsive.

9 THE COURT: Overruled.

10 MR. CANNICK: She doesn't know his name.

11 THE COURT: Overruled.

12 Q Please continue.

13 A They worked together so usually they would do 16 hours so
14 whether he called them Ian or Abel, I wouldn't know the
15 difference between the two, but I was able to see them.

16 MS. GEDDES: The government offers Government
17 Exhibit 50.

18 MR. CANNICK: Same objection, Your Honor.

19 THE COURT: Overruled.

20 (Government Exhibit 50 so marked.)

21 THE COURT: Mr. Cannick, I know I sound like a
22 broken record. I can't hear you if you don't turn on your
23 microphone. Thanks.

24 MS. GEDDES: May I publish? Thank you.

25 Q What, if anything, negative did the defendant say about

Jane - direct - Geddes

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1 your parents?

2 A He would say that they, that we were basically worthless
3 and that we did not mean anything to them.

4 Q And when you say he would say that we were worthless to
5 them, who is the "them" in that sentence?

6 A Me and the other girls.

7 Q Okay. And who did the defendant say you were worthless
8 to?

9 A He would say it to us.

10 Q But who was he saying believed that you were worthless?

11 A Our parents.

12 Q What else did the defendant say negative about your
13 parents?

14 A He would basically say that they had sold us to him and
15 that they, that they had basically given us to him and that
16 they did not care for us and that we were in a better
17 situation with him.

18 Q When you said that the defendant said that your parents
19 had sold you to him, what did he say about that? How did he
20 explain that?

21 A He had confided in me that the previous manager under the
22 name of Mace had given my parents a few bricks and, in return
23 for me.

24 Q And when you say "bricks," what are you referring to?

25 A Narcotics.

Jane - direct - Geddes

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1 Q And who provided this information to you?

2 A The defendant.

3 Q Do you remember approximately when the defendant said
4 that to you?

5 A This was years later, around the time when a majority of
6 the things had come out about cults and multiple women.

7 Q Fair to say that was several years after you had been
8 staying with the defendant?

9 A Yes.

10 MS. GEDDES: I'm showing the witness only what's
11 been marked for identification as Government Exhibit 68.

12 Q Do you recognize the individual shown in Government
13 Exhibit 68?

14 A I do, yes.

15 Q Who is that?

16 A This is Nephew.

17 Q And when did you first meet Nephew or did you meet
18 Nephew?

19 A Yes, I did.

20 Q When did you first meet him?

21 A I don't recall initially when I first met him.

22 Q Who introduced Nephew to you?

23 A The defendant.

24 MS. GEDDES: The government offers Government
25 Exhibit 68.

Jane - direct - Geddes

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1 THE COURT: Any objection?

2 MR. CANNICK: No objection.

3 THE COURT: Okay. That's in evidence.

4 (Government Exhibit 68 so marked.)

5 MS. GEDDES: May I publish?

6 THE COURT: Yes.

7 Q Now, you said that you knew this individual shown in
8 Government Exhibit 68 as Nephew. Who referred to this person
9 as Nephew?

10 A The defendant.

11 Q Without saying it, do you know this individual -- is that
12 a real name, Nephew?

13 A No, that's just what the defendant called him.

14 Q Do you know this individual's true name?

15 A I do not, no.

16 Q And other than Nephew, do you know any other names for
17 him?

18 A No, that's the only name the defendant would call him.

19 Q Do you remember what led to your meet, the defendant
20 introducing you to Nephew?

21 A He had been expressing someone that he wanted me to meet
22 under the name Nephew, however, the first time that I do
23 recall being with him was a punishment.

24 Q Before you describe what the punishment is, do you
25 remember what led to the punishment?

Jane - direct - Geddes

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1 A Yes. I had been pairing off which was one of his rules
2 that I had broken.

3 Q And when you say "pairing off," what do you mean by that?

4 A Meaning that me -- even though me and the other girls all
5 lived together and spent a majority of our time together,
6 there was specific things that even we cannot talk about
7 together, like, unless it was like things that he would
8 consider innocent like hair, nails, TV shows. If there was
9 anything outside of that, we would get in trouble for
10 discussing it.

11 Q So, for example, what would be a type of thing that you
12 understood you were not supposed to discuss with the other
13 women living with the defendant?

14 A Anything about my family, anything about my previous life
15 before I had met him or anything that I was doing beforehand
16 and also, like, our personal relationship.

17 Q And when you say "our personal relationship," whose
18 relationship are you referring to?

19 A Me and the defendant.

20 Q So you said that you had been pairing off. How did the
21 defendant learn -- had you, in fact, been pairing off, to use
22 your word?

23 A Yes.

24 Q And how did the defendant learn about that?

25 A Because I had told him.

Jane - direct - Geddes

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1 Q What led you to tell the defendant about that?

2 A I recall that we were at a hotel and he was with his
3 assistant Diana and he had been boasting to her and, you know,
4 telling her how happy I had made him and I felt very guilty
5 knowing that I had paired off prior to him coming, telling me
6 to come down to the pool.

7 Q And you said, "to come down to the pool." Where were
8 you?

9 A We were at a hotel.

10 Q And were you in the pool area of that hotel?

11 A Yes. He was sitting, like, at a cabana.

12 Q And who else was with him?

13 A Diana.

14 Q What happened when you went down to the pool area?

15 A He had told -- he had expressed to Diana, like, his
16 affection for me and how he basically wanted to spend the rest
17 of his life with me.

18 Q What did you do?

19 A I was happy but I felt guilty inside.

20 Q So what, if anything, did you tell the defendant?

21 A I just went along with what he said but afterwards, he
22 did tell me to go back up.

23 Q To go back up to where?

24 A To my hotel room.

25 Q What happened?

Jane - direct - Geddes

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1 A When I did get back up to my hotel room, I did tell him
2 that there was something that I had been keeping from him and
3 when I told him, he immediately told me to go back to the tour
4 bus.

5 Q And where was the tour bus parked?

6 A It was outside of the hotel.

7 Q Now, when you were in the hotel room and you told the
8 defendant there was something you had been keeping from him,
9 did you tell him what it was that you had been keeping from
10 him?

11 A I believe I told him along the lines of, that I had been
12 pairing off and that I had been speaking of things with Joy
13 and Nicq that I shouldn't have and before I got the chance to
14 go any further, he just told me to get my stuff and go back to
15 the tour bus.

16 Q And when you said he told you to get your stuff, what did
17 you understand the defendant wanted you to do?

18 A Like, basically, I was, it was I wasn't going to be, as a
19 punishment, I wasn't going to be allowed to stay in the hotel.

20 Q So were you packing up all your belongings?

21 A Yes.

22 Q Where was the tour bus parked at the time?

23 A It was usually -- the tour bus was usually parked on the
24 side or the back of the hotels.

25 Q Did you, in fact, then go to the tour bus?

Jane - direct - Geddes

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1 A I did, yes.

2 Q Who, if anyone, else was on the tour bus when you got
3 back there?

4 A Me, Joy and Nicq.

5 Q And, again, just to be clear, Joy and Nicq, were those
6 the women living with the defendant at the time?

7 A Yes, they were.

8 Q What happened when you got back to the tour bus?

9 A He basically had said that he already knew exactly what
10 we had did and for us to puke which we all did.

11 Q And what do you mean by "for us to puke"?

12 A Usually when he said that, we knew that we would have to
13 be honest and not leave out any little detail.

14 Q And what is it that you were being honest -- were you
15 then, in fact, honest with the defendant?

16 A Yes, we were.

17 Q What was it that you were being honest with the defendant
18 about?

19 A Basically, we had a conversation and we had discussed our
20 personal relationships with him, basically, like, making each
21 other upset. All of us had basically said, Oh, I'm closer to
22 him because of X, Y, Z or I'm closer to him because we do this
23 or we do that, and that's not something we were ever supposed
24 to share with one another, what we did personally with the
25 defendant.

Jane - direct - Geddes

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1 Q And when you say "we," who, again, are you referring to?

2 A Me, Joy and Nicq.

3 Q Now, you said that the defendant told you to sort of tell
4 him everything?

5 A Uh-huh.

6 Q And used the word "puke." Did you each of you then do
7 that?

8 A Yes, we did.

9 Q What happened after that?

10 A Afterwards, he told all of us to go to the back on the
11 bed and to take off all our clothes and he began to chastise
12 us.

13 Q And you said he told you to go to the back on the bed.
14 Where was the bed? Were you still on the tour bus?

15 A Uh-huh.

16 Q Where was the bed?

17 A The bed is all the way in the back of the tour bus and he
18 made all of us lay down naked side by side.

19 Q You, Joy and Nicq?

20 A Yes.

21 Q What happened?

22 A He then began to hit all of us about 15 times.

23 Q What did he do -- what did he use to hit each of you?

24 A He used his open palm.

25 Q And where on your body did he hit you?

Jane - direct - Geddes

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1 A He hit us on our butt and on our legs.

2 Q And when you say that he hit you 15 times, do you mean
3 that he hit each of you 15 times?

4 A Yes.

5 Q What happened after that?

6 A After that, he then separated us and he continued to hit
7 me more.

8 Q Where did he -- how did he separate you?

9 A He told Joy to go to the front of the bus and Nicq to go
10 to the bunk bedroom and I stayed in the back and he continued
11 to hit me more.

12 Q Was there a separate room on the bus with bunk beds?

13 A Yes. There's two doors. So when you first walk onto the
14 tour bus, it's, like, the living and kitchen area and then
15 there's a middle room that has bunk beds that are usually for,
16 like, if you're traveling with multiple guests and beyond that
17 door is a master bedroom that no one was allowed in.

18 Q And which of those rooms were you in?

19 A The master all the way in the back.

20 Q And is that where he, the defendant had initially hit
21 each you, Joy and Nicq?

22 A Yes.

23 Q And when the defendant was hitting you after he separated
24 you from Joy and Nicq, how was he hitting you?

25 A He was just hitting me all over because he was

Jane - direct - Geddes

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1 frustrated. He said that I was the closest to him.

2 MR. CANNICK: Objection.

3 THE COURT: Overruled.

4 Q What did he say?

5 A He said that I was the closest to him and I should have
6 known better.

7 Q And what was he using to hit you then?

8 A Just open palm, just slapping me and hitting me all over.

9 Q What happened after that?

10 A He then said that I would have to make up for it and that
11 he was going to think of a punishment and he left off the bus.

12 Q Whose term, who used the term "punishment"?

13 A The defendant.

14 Q Did you eventually learn what that punishment was?

15 A Yes, I did.

16 Q When did you learn?

17 A He told me that I would -- he came back on the tour bus
18 and said that I would be meeting with somebody by the name of
19 Nephew.

20 Q And was that the individual shown in Government
21 Exhibit 68?

22 A Yes, it was.

23 Q Where, if anywhere, did the defendant tell you to go?

24 A He told me to get my things together and he gave me the
25 key to our room and he told me to go up to the room and

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1 freshen up and put on something skimpy and let him know when I
2 was ready.

3 Q What did you do?

4 A I did exactly what I was told.

5 Q Now, at the time when you were carrying out what the
6 defendant told you to do, what, if anything, had the defendant
7 told you about Nephew?

8 A He had mentioned Nephew a few times and he had expressed
9 to me that Nephew was a person that he had been grooming also
10 since he was young.

11 Q Do you remember the words that the defendant used?

12 A Yes, he said that he had been grooming Nephew since he
13 was young like me.

14 Q What happened next?

15 A I then went up to the hotel room and I had freshened up
16 and put on something skimpy and the defendant knocked the same
17 knock that he usually does. I opened the door and I then went
18 into the master bedroom which had a door and he stayed in the
19 living room area. And then in about 15 minutes, he came into
20 the master bedroom and he told me that Nephew will be coming
21 in here and to basically be into it just like I am with him
22 and to, to be into it and not to, like, act any type of way.

23 Q Now, you said that the defendant knocked on the door the
24 way he did. What did you mean by that?

25 A The defendant had a specific knock and that's how we knew

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1 it was him every time so we would know to open the door.

2 Q What was the knock?

3 A (Indicating.)

4 Q When you answered --

5 THE COURT: Do you want to describe that for the
6 record?

7 MS. GEDDES: I can try. Let the record reflect that
8 the witness just did a knock of four separate knocks in a
9 little bit of a rhythm.

10 Q Is that correct?

11 A Yes.

12 THE COURT: I think it was six.

13 Q Do you want to do it again?

14 A Five? (Indicating.)

15 Q Five. Sorry about that.

16 MS. GEDDES: Let the record reflect that there were
17 approximately five knocks.

18 Q Is that right?

19 A Yes.

20 Q And was anyone with the defendant when he first entered
21 the room?

22 A Any time we open a door, we know to stand behind it so
23 just in case he is with people, they can't see us, so I
24 wouldn't be seen.

25 Q Okay. So when you opened the door, did you see anybody

Jane - direct - Geddes

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1 else?

2 A No.

3 Q Did you, in fact, go into the bedroom as the defendant
4 directed?

5 A Yes, I did.

6 Q What happened after that?

7 A He then came in with an iPad and he told me to get into
8 it, that this was my punishment. And shortly after, Nephew
9 had followed behind him naked.

10 Q And when you said that the defendant told you to get into
11 it, what did he mean by that?

12 A Meaning, like, not to embarrass him.

13 Q Not to embarrass who?

14 A The defendant.

15 Q What did you understand that the defendant wanted you to
16 do with Nephew?

17 A He wanted me to please Nephew the same way that I would
18 please him.

19 Q And how did he want you to please Nephew?

20 A By basically being into it and giving him, like, oral sex
21 and vaginal penetration.

22 Q What happened -- did Nephew then come into the room?

23 A Uh-huh.

24 Q And what happened? You said he was naked?

25 A Yes.

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1 Q Where was the defendant when Nephew came into the room?

2 A He was already in the room and he was also naked and he
3 had his iPad in his hand and then he had propped it up and he
4 had begin to instruct both me and Nephew what to do.

5 (Continued on next page.)

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JANE - DIRECT - GEDDES

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1 DIRECT EXAMINATION (Continued)

2 BY MS. GEDDES:

3 Q And what, if anything, did you notice about the iPad?

4 A It was recording.

5 Q What did the defendant instruct you and Nephew to do?

6 A He had instructed us exactly -- he had basically talked
7 us through every single thing to do.

8 So if he wanted me to give Nephew oral sex, he would
9 say that. And if he wanted Nephew to give me oral sex, he
10 would say that.

11 Q And by "oral sex," do you mean that he wanted your mouth
12 on Nephew's penis; is that correct?

13 A Yes.

14 Q And when he wanted Nephew to give you oral sex, do you
15 mean that he wanted Nephew's mouth on your vagina?

16 A Yes.

17 Q Did both of those things happen between you and Nephew?

18 A Yes.

19 Q And did you want to have sexual contact with Nephew?

20 A Never.

21 Q Why did you?

22 A It was a punishment.

23 Q What did you think would happen if you did not have sex
24 with Nephew -- have sexual activity with Nephew at the
25 defendant's direction?

JANE - DIRECT - GEDDES

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1 A I would probably be left somewhere for a long time.

2 MR. CANNICK: Objection.

3 THE COURT: Sustained.

4 Q Was that the only time that you saw Nephew?

5 A No, there were a few occasions that the defendant had
6 made us get intimate.

7 Q And when you say there are a few occasions the defendant
8 had made you be intimate, who are you referring to?

9 A Me and Nephew.

10 Q And by "intimate," do you mean that you had, at the
11 defendant's direction, sexual contact with Nephew?

12 A Yes.

13 Q Do you recall a time where you had sexual contact with
14 Nephew at the defendant's direction in the presence of
15 somebody else or when someone else was around beside the
16 defendant?

17 A Yes.

18 Q What happened?

19 A There was an encounter once where the defendant had told
20 me, after he had cum, that he had been going back and forth
21 from room to room having vaginal penetration between me and
22 Joy with Nephew.

23 Q And do you remember where that took place?

24 A I do not remember specifically where that took place. It
25 was either at the studio or the Trump.

JANE - DIRECT - GEDDES

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1 Q Were both of those places in Chicago?

2 A Yes.

3 Q When you say "the Trump," what are you referring to?

4 A I stayed in the master room and Joy stayed in the rocking
5 chair room.

6 Q And I'm sorry, is "the Trump" a residence?

7 A Yes.

8 Q And is that a building where the defendant lived for a
9 period of time?

10 A Yes.

11 Q And did you also live with the defendant there?

12 A Yes, I did.

13 Q And you stated that on -- the defendant told you what
14 happened after the fact; is that correct?

15 A Yes.

16 Q When that happened, did you know that Joy was in the --
17 whether it was the studio or the Trump -- at the same time as
18 you?

19 A No, he just coming in the room every ten minutes.

20 Q And who was it who had come in the room every ten
21 minutes?

22 A The defendant and Nephew.

23 Q And what would happen when the defendant and Nephew came
24 into the room?

25 A We would have intercourse.

JANE - DIRECT - GEDDES

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1 Q Who would have -- who would have intercourse?

2 A All three of us.

3 Q And, again, did you want to be having intercourse with
4 Nephew?

5 A No, I did not.

6 Q And, again, why did you have intercourse with Nephew?

7 A Because it was a punishment.

8 Q Based on your prior experiences with the defendant, what,
9 if anything, did you think would happen if you didn't have
10 intercourse with Nephew at the defendant's direction?

11 A I would --

12 MR. CANNICK: Objection.

13 THE COURT: I'll sustain it as to form.

14 The question is: Why did you do it if you didn't
15 want to?

16 A Because I would have gotten chastised regardless, so it
17 wouldn't have made a difference.

18 Q And you testified about two different times when you had
19 sexual contact with Nephew at the defendant's direction.

20 Were there other times as well?

21 A Oh, yes.

22 Q You testified yesterday that there was a time when you
23 were living with the defendant and multiple women. Over time,
24 did some of those women leave the defendant?

25 A Yes, they did.

JANE - DIRECT - GEDDES

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1 Q And as of July of 2019, who, if anyone, was still
2 spending time with the defendant?

3 A I don't necessarily recall the exact timeline of when
4 everyone left, however, in 2019, I believe it might have been
5 just me, Joy, and Nicq, or Meek could have possibly left
6 already by then.

7 Q Was there a time when Meek did in fact leave the
8 defendant?

9 A Yes, there was.

10 Q And the individual you testified earlier yesterday about
11 who you called Vee, did she too leave the defendant?

12 A Yes, she did.

13 Q And Juice, did she too leave the defendant?

14 A Yes, she did.

15 Q Over the course of the time, the five years that you
16 spent with the defendant, did the defendant continue to
17 chastise you?

18 A Yes, he did.

19 MS. GEDDES: I'm showing the witness what's been
20 marked for identification as Government Exhibit 457, 458, 459,
21 and 460.

22 May I approach, Your Honor?

23 THE COURT: Yes.

24 (Counsel approaches the witness.)

25 Q Do you recognize the exhibits that I just showed you, 457

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1 through 460?

2 A Yes, I do.

3 Q Generally speaking, what are they?

4 A They are letters that I had written to the defendant
5 usually times when I didn't have a phone.

6 Q And why would you write letters to the defendant on those
7 occasions?

8 A If I had messed up or did something or broke a rule, I
9 would usually have to write letters.

10 Q And who were you writing letters to?

11 A To the defendant.

12 MS. GEDDES: The government offers 457 through 460.

13 THE COURT: Any objection?

14 MR. CANNICK: None.

15 THE COURT: Those are in evidence.

16 (Government Exhibits 457 through 460, were received
17 in evidence.)

18 (Exhibit published.)

19 Q I want to begin with Government Exhibit 457.

20 This is two sides. We're going to start at the
21 first side.

22 Can you read -- is this your handwriting?

23 A Yes, that is.

24 Q Can you read what you wrote in Government Exhibit 457?

25 A At this point this isn't about making me better. Your

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1 pride -- sorry, and ego is involved and you can't forgive me
2 unless I suck up to you, or beg or plea or hug all over you to
3 forgive me. When really as long as I'm trying you should be
4 thankful. As long as I'm still apologizing and accepting my
5 chastising you should be happy because I have to be happy when
6 you don't want to poke me or go out with me. I don't mind
7 accepting my chastising, but I'm not going to get spankings
8 over and over again because my apology isn't up to your -- to
9 your standards or doesn't feel your ego or -- doesn't feed
10 your ego because that's not what it's about. As long as I'm
11 apologizing and --

12 Q Turning 457 over.

13 A -- accepting my chastising, that's all that matters. I
14 don't want you to -- I don't want you to be able to say I'm
15 the reason nothing is being done because I'm not. I accepted
16 my spanking, you walked out. So this cycle isn't happening
17 because of me. So you can go let Joy go get her passport.
18 You have the charger for your laptop. Joy can check it for
19 you. She has a email so she'll know how to work it. I don't
20 want to be why everything is at a halt.

21 Do you mind moving it up a little bit?

22 Q One moment.

23 A I'm just really tired of arguing over stupid things that
24 don't even matter. Things that if this was someone else you
25 won't even question it, yet everything with me is a problem.

JANE - DIRECT - GEDDES

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1 And I am desperate to make us work, but I just don't know what
2 else to do to fix this.

3 Q Now do you remember writing this specific letter?

4 A I don't remember what had transpired, but I do remember
5 writing this letter, yes.

6 Q How regularly did you write letters similar to this one?

7 A Almost every two to three days.

8 Q And looking back to the first side that you read, when
9 you said, "As long as I'm still apologizing and accepting my
10 chastising you should be happy."

11 What were you referring to in that?

12 A Meaning that sometimes when I would apologize, if it
13 didn't like stroke his ego enough, an apology wouldn't suffice
14 enough at all times.

15 Q And what did you mean by "chastising"?

16 A Meaning like a spanking.

17 Q And on the back of this, you referenced "Joy".

18 Is that the Joy who you previously testified about
19 and identified in a photo?

20 A Yes.

21 Q I'm now putting Government Exhibit 458, which is in
22 evidence, on the screen.

23 Can you read that to the jury, if you can see it?

24 A I don't mind getting chastised but I'm not going to get a
25 spanking, apologize and then go through it all over again

JANE - DIRECT - GEDDES

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1 because my apology isn't good enough or I don't beg you to
2 forgive me. If Joy said I'm going to make a call in here or
3 step out? And she said step out -- you wouldn't have asked
4 her why you would -- you wouldn't have asked her why. You
5 wouldn't have got upset or anything yet me, everything I say
6 or do is always blown up and it's stupid stuff, doesn't even
7 matter and then when my apology isn't up to your standards the
8 cycle starts all over again.

9 Q And there's an arrow, and I'm going to turn it over.

10 A This isn't teaching, and I'm just tired of this same
11 cycle every time I may not hug you or beg you to forgive me,
12 but an apology is an apology. And I don't know what more you
13 want from me. I've apologized now. We've had to go through
14 this all over again because you still feel some type of way
15 when it's not about either of our personal feelings. It's
16 about me trying.

17 Q Now the top of that second page that you read, you wrote
18 "that isn't teaching."

19 A Yes.

20 Q Had anyone used the word "teaching"?

21 A The defendant saw chastising as teaching.

22 Q How did you know that?

23 A He would say that.

24 Q And what is it that you understood the defendant meant by
25 that?

JANE - DIRECT - GEDDES

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1 A It was to help me. The chastises were to help me.

2 Q To help you do what?

3 A Remember the way to act and be.

4 Q According to whom?

5 A The defendant.

6 Q I'm now showing you what's in evidence as Government
7 Exhibit 49 and -- 459, I'm sorry.

8 What is on this -- what is shown on this front page?

9 A A book.

10 Q And if I flip it over? Is there writing there?

11 A Yes, there is.

12 Q Do you remember -- and just to be clear, each of the
13 letters, 457 through 456 -- 460, you testified that those were
14 letters written by you, correct?

15 A Yes, they are.

16 Q Do you remember why you were writing on a book cover?

17 A Because I had no paper. And sometimes if I didn't have
18 paper and I was left somewhere, he would say to figure it out.
19 So I would just have to write on anything I could find.

20 Q Can you read what you wrote in Government Exhibit 459?

21 A I said: The things you get angry over you wouldn't even
22 care about if it was someone else. If Joy said she had to
23 make a call and you wanted her to do so in or out of the room,
24 you would say which do you think and she said out. You would
25 say okay. Then and drop it and leave it alone, yet with me, a

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1 million extra questions that don't even matter. I'm not
2 happy. I'm not being fulfilled sexually and on top of that
3 I'm getting spankings nearly everyday. This isn't what I want
4 my life to be, and I know you don't want this either.

5 Q When you said in here "that I'm getting spankings nearly
6 everyday," what are you referring to?

7 A The defendant was hitting me every day.

8 Q And finally, I'm showing you what's in evidence as
9 Government Exhibit 460. And I'm just going to start by just
10 holding it up.

11 What is it that you notice about 460?

12 A The paper is torn.

13 Q In half?

14 A Yes.

15 Q All right. Just so the jury can see.

16 All right. And then I'm going to put these two
17 pieces of 460 back.

18 Can you read that, please?

19 A Yes. The main issue is the things we argue over I don't
20 mind and will never mind being chastised because I've lied or
21 did something wrong. I'm tired of you nitpicking stupid non
22 for profit reasons to start an argument. This started because
23 you asked me where I thought I should have the call, which is
24 so stupid, then it led to you asking me why which is when I
25 lied, and I got a spanking and apologized. Then you came in

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1 here and wanted to argue because you thought I text you
2 because Joy text you. I don't want to be with anyone that is
3 on edge looking for something to argue about. Because that's
4 exactly what it feels like. And if you argue with me and
5 nitpick everything I do because I lay or sit the closest to
6 you then I don't want this. I mess up enough too much on my
7 own for you to --

8 Q I'm going to turn it over.

9 A -- want to argue even more on top of everything. Because
10 whether I choose to feed your ego or not, whether I have a
11 little bit of remorse or overflowing with remorse an apology
12 is an apology and I don't want to be with anyone that has a
13 problem or challenges me on everything I do. At this point
14 it's just nitpicking and too many arguments over dumb stuff.
15 And if you nitpick because I lay with you or I'm the closest
16 to you I don't want it. I don't want any of this, that means
17 you're starting arguments purposely because I'm the closest to
18 you, or because I want to be the closest to you. I mess up
19 enough on my own so for you to do this continuously on top of
20 me messing up, is just too much. And I don't want it for you
21 at all if this is what I have to go through.

22 Q Now, to be clear, I think on the first page of this you
23 wrote that: "I will never mind being chastised because I've
24 lied."

25 A Uh-huh.

JANE - DIRECT - GEDDES

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1 Q But as you sit here today, do you mind being chastised?

2 A No.

3 Q Did you want to be hit by the defendant?

4 A No.

5 Q So fair to say you do mind being chastised?

6 MR. CANNICK: Objection.

7 THE COURT: Overruled.

8 The question is today you wrote -- the question is
9 today -- well, you ask the question.

10 Q Today, do you still feel the same way that you -- or do
11 you still feel the way -- maybe you never felt this -- but do
12 you feel the way that you wrote here where you said I don't
13 want to -- or I don't mind be being chastised?

14 A No.

15 MR. CANNICK: Objection.

16 THE COURT: Overruled.

17 Q How do you feel now?

18 A I feel that I never deserved any of that.

19 Q And did you want to be chastised then?

20 A I did not.

21 Q Now, yesterday you testified about certain letters that
22 the defendant told you to write containing falsehoods.

23 Do you recall that testimony?

24 A I do.

25 Q And you also testified about apology letters that the

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1 defendant would have you write when you were in a room at the
2 defendant's direction.

3 Do you recall that?

4 A Yes.

5 Q The letters that you just read, shown in Government
6 Exhibit 457 to 460, which -- how would you describe those
7 letters, what were those?

8 A Well, these letters would not be acceptable, so basically
9 what I was saying in these letters is that I would be
10 chastised, and then I would write this letter and he would not
11 accept it, and then I would be chastised again.

12 Q Now, is this an example of one of the letters that you
13 said you wrote that contained falsehood and embarrassing
14 information?

15 A What do you mean?

16 Q Yesterday you testified about letters that you wrote
17 where you would admit to stealing something from the
18 defendant.

19 A This is not -- these are strictly apology letters after
20 he had felt I had done something wrong.

21 Q Okay. So this is a different -- there were two types of
22 letters that the defendant had you write; is that correct?

23 A Yes.

24 Q Are you familiar with the Docuseries "Surviving R.
25 Kelly"?

JANE - DIRECT - GEDDES

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1 A I am familiar with it.

2 Q Were you still living with the defendant at the time that
3 it was aired?

4 A I was, yes.

5 Q At the time that it was aired, what, if anything, did the
6 defendant say about it?

7 A He did let us know ahead of time that there was a
8 documentary coming out about him and that everything was
9 false. And he told us about a few of the women whom were a
10 part of it and that he had his attorneys send cease and desist
11 to Lifetime.

12 Q And when you said "he told us," who do you mean by that?

13 A Me and Joy.

14 Q And were you the two individuals still living with the
15 defendant at the time the Docuseries came out?

16 A Yes.

17 Q What, if anything, did the defendant tell you to do if
18 the Docuseries came up while you were watching television?

19 A We were to immediately change the channel.

20 Q And while you were with the defendant, did you watch the
21 Docuseries?

22 A Never.

23 Q Did you and the defendant discuss making any public
24 statements following at that Docuseries?

25 A No. He had -- he had expressed to us that if there ever

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1 came a time for us to speak and stand up, would we, and we
2 said, "Yes."

3 Q Did he explain what he wanted you to do?

4 A No. He never said that we would actually be publicly
5 speaking.

6 Q What, if anything, did you do to prepare for a
7 hypothetical time when you would make a public appearance?

8 A Weeks prior to that, he had began telling us and making
9 us answer questions.

10 Q And just to be clear, who is the "he" in that statement?

11 A The defendant.

12 Q And who is the "us"?

13 A Me and Joy.

14 Q When you say he had you answer questions, what do you
15 mean?

16 A He would have us -- when he was around us, he would ask
17 us questions. And when we were alone, he would tell us to
18 write down questions and write down our answers towards them.
19 And any answers that we stumbled upon or didn't know the
20 answer to, the right answer, to write it down so that when we
21 would see him we would go over it and he would give us the
22 proper answer.

23 Q And was the proper answer always the truthful answer?

24 A No, it was not.

25 Q Did you eventually make a public appearance?

JANE - DIRECT - GEDDES

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1 A We did, yes.

2 Q What did you make a public appearance on?

3 A Gayle King.

4 Q Where was that filmed?

5 A At Trump Towers on the hotel sides.

6 Q And at the time that you made the appearance on Gayle
7 King, where were you living?

8 A At Trump Towers, on the residential side.

9 Q So fair to say there were two parts of Trump Towers?

10 A Yes.

11 Q One side was the residence, and one side was the hotel
12 side?

13 A Yes.

14 Q Where was the defendant -- let me back up.

15 Who is Gayle King?

16 A I don't know too much about her, I just believe that
17 she's a news anchor.

18 Q And was it a TV appearance or a radio appearance or
19 something else?

20 A It was a TV.

21 Q And so it was filmed?

22 A Yes.

23 Q And where was the defendant -- who participated in the
24 Gayle King appearance?

25 A The defendant, me and Joy.

JANE - DIRECT - GEDDES

1064

1 Q And when -- were you, in fact, interviewed by Gayle King?

2 A Yes, we were.

3 Q And when you say "we," who are you referring to?

4 A Me and Joy.

5 Q Were the two of you interviewed together?

6 A Yes, we were.

7 Q Where was the defendant while you and Joy were
8 interviewed by Gayle King?

9 A He was also present in the hotel room.

10 Q Were you truthful when you spoke to Gayle King?

11 A I was not.

12 Q What, if anything, did the defendant do during that
13 appearance during the time when you and Joy were being
14 interviewed by Gayle King?

15 A He did a coughing, he usually does, which everyone knows
16 to let us know --

17 MR. CANNICK: Objection.

18 A -- he was near.

19 THE COURT: Sustain as to the everyone knows part.

20 But he did a cough?

21 A There's a very similar cough that he does.

22 Q So what cough?

23 What did you understand he meant by that cough?

24 A He was just letting us know that he was in the room with
25 us.

JANE - DIRECT - GEDDES

1065

1 Q And what did you believe was the purpose of the defendant
2 letting you know he was in the room with you?

3 THE COURT: Sustained.

4 That means don't answer. Sorry. That's all right.

5 Q I want to direct your attention to the summer of 2019.

6 Did there come a time in the summer of '19 when you
7 stopped living with the defendant for a period of time?

8 A Yes, there was.

9 Q And during that period of time, did you decide to leave
10 the defendant permanently?

11 A Yes, I did.

12 Q Approximately when did that happen?

13 A October 2019.

14 Q And when you did that, did you move out of the Trump
15 Towers where you had been living?

16 A I had, yes.

17 Q At some point did you agree to meet with the government?

18 A I did, yes.

19 Q Do you remember when that first happened?

20 A I believe that was in January of 2020.

21 Q You testified yesterday that when you first saw the
22 defendant at that concert, or when you first saw the defendant
23 at the Dolphin Hotel you auditioned for him.

24 Do you recall that?

25 A Yes, I do.

JANE - DIRECT - GEDDES

1066

1 Q And you testified that the defendant said he was going to
2 help you; fair to say?

3 A Yes.

4 Q What, if any, steps did the defendant take over the next
5 five years to further your musical aspirations?

6 A None.

7 Q While you were with the defendant, while you were still
8 living with the defendant, would you have described to others
9 your time with the defendant as abusive?

10 A Yes, I would have.

11 Q Would you have publicly said that, though?

12 A At that time that I was with him, no.

13 Q Would you now?

14 A Yes.

15 Q When did you start to do that?

16 A It took me until January of 2020.

17 Q After you had spent some time away from the defendant?

18 A Yes.

19 Q Have you had any contact with the defendant since January
20 of 2020?

21 A I have not.

22 MS. GEDDES: One moment.

23 (Pause in the proceedings.)

24 MS. GEDDES: Nothing further, Your Honor.

25 THE COURT: All right, I think this might be a good

Proceedings

1067

1 time -- unless you want to start, Mr. Cannick, I think this
2 might be a good time for a break.

3 MR. CANNICK: Let's have a break.

4 THE COURT: Okay. So just 15 minutes or so.

5 Please don't talk about the case.

6 THE COURTRoom DEPUTY: All rise.

7 (Jury exits the courtroom.)

8 THE COURT: And the witness can step down.

9 (The witness steps down.)

10 THE COURT: All right, everybody can have a seat.

11 Can I see counsel at the side for a minute, please?

12 (Continued on the next page.)

13 (Sidebar conference.)

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SEALED BY ORDER OF THE COURT

1068

1	[REDACTED]
2	[REDACTED]
3	[REDACTED]
4	[REDACTED]
5	[REDACTED]
6	[REDACTED]
7	[REDACTED]
8	[REDACTED]
9	[REDACTED]
10	[REDACTED]
11	[REDACTED]
12	[REDACTED]
13	[REDACTED]
14	[REDACTED]
15	[REDACTED]
16	[REDACTED]
17	[REDACTED]
18	[REDACTED]
19	[REDACTED]
20	[REDACTED]
21	[REDACTED]
22	[REDACTED]
23	[REDACTED]
24	[REDACTED]
25	[REDACTED]

SEALED BY ORDER OF THE COURT

1069

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

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Proceedings

1070

1 (A recess was taken at 11:16 a.m.)

2 (In open court; Jury not present.)

3 THE COURTROOM DEPUTY: All rise.

4 THE COURT: Everyone can sit down.

5 All right, just before we begin, I think a couple of
6 the jurors are -- just want some clarity on the days that
7 we're taking off, and Donna has helpfully put together a list.

8 So we'll be off this Friday. But I think -- am I
9 correct that the jurors have asked to work on the 3rd?

10 THE COURTROOM DEPUTY: Yes.

11 THE COURT: So just given how short we're going to
12 be week -- the next week, we will be working on September 3rd,
13 which is a Friday.

14 Then we'll be off obviously for Labor Day and for
15 the 7th and 8th, for Rosh Hashanah.

16 Then we'll be working the 9th and the 10th.

17 Then the following week, Thursday is Yom Kippur, so
18 we'll be off then, but we will be working on Friday.

19 But on the 15th, I think we'll probably end a little
20 early in case anybody, you know, has a dinner or something to
21 go to. So we'll probably finish around 4 that day.

22 So I'm going to give the jury that schedule just
23 before you start your cross, Mr. Cannick. Or I can do it at
24 lunch, too. Maybe I'll do that. All right.

25 MS. GEDDES: Just you can do it.

Proceedings

1071

1 (Pause in the proceedings.)

2 THE COURT: Can I see the parties at the side for
3 one small thing?

4 (Continued on the next page.)

5 (Sidebar conference.)

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Sidebar

1072

1 (The following occurred at sidebar.)

2 THE COURT: I'm slightly concerned about, not only
3 is it relevant to you, Mr. Cannick, I think that Ms. Becker is
4 conflicted out of.

5 MS. GEDDES: That's correct?

6 THE COURT: I just don't know if you recall that --

7 MR. CANNICK: I'll remind her.

8 THE COURT: -- just in terms of if she is giving you
9 any input or feedback, but it is --

10 MR. CANNICK: I understand.

11 THE COURT: But I did make a ruling. I think it's
12 before you joined.

13 MR. CANNICK: No. She's not giving me any advise or
14 any information about the witness. Mr. Kelly is -- is using
15 her as a conduit, but other than that, she's just passing
16 messages.

17 THE COURT: Okay, it just occurred to me that I
18 think you should be extra careful about it.

19 MR. CANNICK: Sure. I'll remind her right now.

20 THE COURT: Thank you.

21 (End of sidebar conference.)

22 (Continued on the next page.)

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JANE - CROSS - CANNICK

1073

1 (In open court; Jury not present.)

2 THE COURT: All right, let's get the jurors.

3 (The witness resumes the stand.)

4 THE COURTRoom DEPUTY: All rise.

5 (Jury enters the courtroom.)

6 THE COURTRoom DEPUTY: You may be seated.

7 THE COURT: Okay, everybody, we are ready to
8 continue with the cross-examination by Mr. Cannick.

9 Before we break for lunch, I'll go over our schedule
10 calendar-wise with you all.

11 So go ahead, Mr. Cannick.

12 MR. CANNICK: Thank you.

13 THE COURTRoom DEPUTY: The witness is reminded she's
14 still under oath.

15 THE WITNESS: Yes, ma'am.

16 CROSS-EXAMINATION

17 BY MR. CANNICK:

18 Q How far did you go in school?

19 A Pardon me?

20 Q How far did you go in school?

21 THE COURT: I think your microphone might not be
22 working. Okay.

23 BY MR. CANNICK:

24 Q How far did you go in school?

25 A High school.

JANE - CROSS - CANNICK

1074

1 Q How far in high school?

2 A A high school diploma.

3 Q You graduated?

4 A I did, yes.

5 Q And when was it that you graduated?

6 A I graduated in 2016.

7 Q 2016?

8 Was there a graduation ceremony?

9 A Yes, there was.

10 Q What was the date of that graduation ceremony?

11 A I do not recall.

12 Q Did you attend?

13 A I did, yes.

14 Q Do you remember what time of the year it was?

15 A I do not recall.

16 Q Do you remember whether it was in January of 2016?

17 A No, I believe it would have been later.

18 Q Later?

19 Now before coming in and starting your testimony
20 yesterday, you had met with the government and gone over the
21 questions that they asked of you; am I correct?

22 A Um, yes, I did.

23 Q And how many times have you met with the government to
24 discuss your testimony prior to coming and giving testimony
25 here?

JANE - CROSS - CANNICK

1075

1 A I don't know.

2 Q Well, more than five?

3 A About, yes.

4 Q And when was the last time you spoke with them about your
5 testimony?

6 A Today.

7 Q And what time today?

8 A Before we began.

9 Q Before you started this morning?

10 A Uh-huh.

11 Q And what about last night?

12 A You asked me the last time.

13 Q No, I'm asking you a new question.

14 What about last night, did you discuss your
15 testimony with them last night?

16 A Um, not that I can recall, no.

17 Q Did you have any meetings with them last night?

18 A After -- after, no.

19 Q And before yesterday, when was the last time you met with
20 them to discuss your testimony?

21 A The day before I had come here.

22 Q And do you recall what the day before was?

23 A It was the day before yesterday.

24 Q What was that day?

25 A What is today's date? Thursday? Wednesday?

JANE - CROSS - CANNICK

1076

1 THE COURT: Today's Tuesday.

2 Q You're looking to the government for an answer?

3 A Sunday. Sorry, Sunday.

4 Q Sunday.

5 And what time did you start your meeting with them
6 on Sunday?

7 A Probably around 11 a.m.

8 Q And what time did you end on Sunday?

9 A Probably around 6 p.m.

10 Q So about seven hours on Sunday?

11 A Yes.

12 Q And before Sunday, when had you met with them before
13 Sunday?

14 A Saturday.

15 Q And how much time did you spend with them on Saturday?

16 A About the same period.

17 Q And before Saturday, when was the last time you spent
18 time with them?

19 A About a week earlier.

20 Q In that week, you met with them one day or two days?

21 A About two days, yes.

22 Q And the same amount of time?

23 A Yes.

24 Q And when you met with them, you went over documents; am I
25 correct?

JANE - CROSS - CANNICK

1077

1 A I did, yes.

2 Q And they shared with you information about prior
3 interviews you had given; am I correct?

4 A Yes.

5 Q And they also shared with you these photographs that you
6 testified about here; am I correct?

7 A Yes, they did.

8 Q And they also shared with you other exhibits that they
9 had that they were questioning you about; am I correct?

10 A Yes.

11 Q Now also, you made a number of social media postings
12 about the facts of this case; am I correct?

13 A It's been limited but, yes.

14 Q I beg your pardon?

15 A It's been limited but, yes.

16 Q When you say "limited," how many?

17 A Less than five.

18 Q Less than five?

19 When was your last posting?

20 A I do not recall.

21 Q And you've monetized those postings; am I correct?

22 A No, not all of them.

23 Q I didn't ask you about all of them. I said, my question
24 was: Have you monetized them?

25 MS. GEDDES: Objection.

JANE - CROSS - CANNICK

1078

1 THE COURT: Well, why don't you -- when you say
2 "monetize," do you mean was she paid for them?

3 BY MR. CANNICK:

4 Q You've written about the monetization of content; am I
5 correct? You researched that, correct?

6 A Yes.

7 Q So you know what I meant; am I correct?

8 A I do, yes.

9 Q Now, I want to go to your testimony yesterday and today.
10 You just testified and told this jury about years of
11 abuse.

12 Do you remember telling us about that?

13 A Yes.

14 Q Okay. When did this abuse begin?

15 A In 2015.

16 Q And you met with Mr. Kelly in 2000 -- you met him in
17 2015; am I correct?

18 A Yes, I did.

19 Q And according to you, you met with -- you met him as of
20 April 18th, 2015; am I correct?

21 A I don't remember the specific date of the show, but, yes,
22 it was in April.

23 Q Okay. And you testified that there came a point in time
24 that you started living with him in 2015; am I correct?

25 A Yes, that is true.

JANE - CROSS - CANNICK

1079

1 Q When was that day?

2 A That is when school had ended and summer had begun I
3 begun living in Chicago.

4 Q And the abuse started right then?

5 A No.

6 Q Did the abuse start a month later?

7 A The abuse started, yeah, about a few months later.

8 Q Okay, so it started a few months later. And what was
9 the -- what was the nature of the abuse in a few months
10 later -- withdrawn.

11 When was it that school ended?

12 A I don't recall.

13 MR. CANNICK: Your Honor, may I approach the
14 witness --

15 THE COURT: Sure.

16 MR. CANNICK: -- to show her something see if it
17 refreshes her recollection?

18 MS. GEDDES: Can you show us what you're showing?

19 MR. CANNICK: (Proffering.)

20 (Counsel approaches the witness.)

21 BY MR. CANNICK:

22 Q I want you to look at this document and see if it
23 refreshes your recollection as to when the school year ended
24 in 2015.

25 Look at the portion that's highlighted in yellow.

JANE - CROSS - CANNICK

1080

1 A Yes.

2 Q May I have it back?

3 A (Proffering.)

4 Q After having looked at that document, does it refresh
5 your recollection as to when the school year ended in 2015?

6 A It does.

7 Q When did it end?

8 A Beginning of June.

9 Q Beg your pardon?

10 A June.

11 Q June what?

12 A 3rd.

13 Q June 3rd?

14 And based on your testimony then, you moved to
15 Chicago with Mr. Kelly sometime after June 3rd, 2015?

16 A I'm sorry, I should rephrase that.

17 I actually had left school probably about a week and
18 a half earlier. I had turned in all of my work.

19 Q So you left school prior to June 3rd, 2015?

20 A Yes, that is accurate.

21 Q And about -- you said the abuse started about two months
22 after that; am I correct?

23 A Yes.

24 Q And so that would be some time in August; am I correct?

25 A That is the first time he hit me open palm, yes.

JANE - CROSS - CANNICK

1081

1 Q My question -- and if you don't understand my question,
2 please let me know. My question is: The abuse started some
3 time after August?

4 THE COURT: Can I just clarify? I'm so sorry,
5 Mr. Cannick.

6 When you said "abuse," are you referring to
7 something in particular? A physical abuse?

8 MR. CANNICK: Well, what I asked is that she
9 testified about a number of abuse during the time she spent
10 with him.

11 THE COURT: I just think it might be good to
12 define what you mean by "abuse".

13 BY MR. CANNICK:

14 Q What do you define abuse as being?

15 THE COURT: Well, why don't you direct her to the
16 particular thing you want her to speak about.

17 I just think abuse is a broad -- all I'm saying is
18 if you can break it down. Abuse is a broad term.

19 BY MR. CANNICK:

20 Q When you said that my client abused you for the first
21 time, what was the nature of that abuse?

22 A What time are you referring to?

23 Q I'm asking you. You said that my client abused you two
24 months after you started living with him. I'm asking you
25 what's the nature of that abuse?

JANE - CROSS - CANNICK

1082

1 A Okay. There was a time that he did slap me open palm.
2 So that would possibly be the beginning of it, which is when I
3 told him my age, at the end of summer.

4 Q The end of the summer.

5 And when he slapped you, he sent you home the next
6 day; am I correct?

7 A Yes, he did.

8 Q And the slap is sort of at you, according to you.

9 Now, when you went home, you were with your parents;
10 am I correct?

11 A Yes, I was.

12 Q You were with your family; am I correct?

13 A Yes, I was.

14 Q And you came back?

15 A Yes, I did.

16 Q When you were with your parents, did you tell them that
17 he slapped you?

18 A I did not, no.

19 Q Now, you testified and told us that you met Mr. Kelly in
20 April of 2015.

21 Now -- and you told him that you were 18 years old;
22 am I correct?

23 A Yes.

24 Q Now your parents told you to tell him that you were 18
25 years old; am I correct?

JANE - CROSS - CANNICK

1083

1 A No.

2 Q Your parents did not tell you to tell him --

3 THE COURT: I'm overruling the objection.

4 Q My question is: Did your parents tell you to tell him
5 that you were 18 years old? Yes or no?

6 A No, they did not.

7 Q Now you testified and told us that when you went to this
8 concert and that you were in the B section?

9 A The C section.

10 Q The C section? You weren't in the B section?

11 A When we got there, they were together. So people in the
12 C section could sit in the B section.

13 Q I'm asking where were you?

14 A The B section.

15 Q B or C?

16 A I was in the B section with my parents, but we had bought
17 tickets for the C section.

18 Q And there came a point in time that you said that somehow
19 you got up to the -- to the pit.

20 A Correct, yes.

21 Q And prior -- at some point, either before the show or
22 while you were there, it was suggested to you by your mother
23 that you get Mr. Kelly's attention; am I correct?

24 A I don't recall that.

25 Q Now -- and when you got to be in the pit, you testified

JANE - CROSS - CANNICK

1084

1 and told us yesterday that at some point Mr. Kelly grabbed
2 your hand or held your hand?

3 A Yes, he did.

4 Q Now, you were reaching your hand up to him; am I correct?

5 A Correct.

6 Q And you weren't the only one doing that, there were a
7 number of fans trying to reach him and get his attention; am I
8 correct?

9 A Absolutely, yes.

10 Q And he touched a number of hands as he performed a song;
11 am I correct?

12 A Not actually true. He only touched about ten people.

13 Q Ten is not a number?

14 MS. GEDDES: Objection.

15 THE COURT: Sustained.

16 Q So he touched more than your hand; am I correct?

17 A Yes.

18 Q Now, you testified and told us that he performed the show
19 pretty much to you?

20 A Yes.

21 Q Were you standing alone?

22 A I was not.

23 Q You're around other people; am I correct?

24 A I was, yes.

25 Q There are other fans at the show; am I correct?

JANE - CROSS - CANNICK

1085

1 A Yes, there was.

2 Q They were right around you; am I correct?

3 A Yes, they were.

4 Q There were people who were in the back of you; am I
5 correct?

6 A Yes, there were.

7 Q Because you were in the pit; am I correct?

8 A Yes, I was.

9 Q And there were people behind you; am I correct?

10 A Yes, there was.

11 Q Immediately behind you; am I correct?

12 A No.

13 Q There weren't people sitting or standing behind where you
14 were?

15 A Oh, yes. In the pit, yes.

16 Q Now there were people on the side, the right side of you?

17 A Yes.

18 Q And the left side of you?

19 A Uh-huh.

20 Q And in the pit there were people bunched around trying to
21 get attention and dancing; am I correct?

22 A Not many people were in the pit.

23 Q Speaking of dancing, you eventually got up on the stage;
24 am I correct?

25 A I never got on the stage.

JANE - CROSS - CANNICK

1086

1 Q You never get on the stage?

2 A I never did, no.

3 Q You didn't go on the stage and twerk on the speaker?

4 A I sat on the speaker. I didn't go on the stage.

5 Q So you sat on the speaker?

6 A Yes, I was on the speaker.

7 Q Speaker was on the floor?

8 A Yes.

9 Q You danced on the speaker?

10 A Yes.

11 Q You twerked on the speaker?

12 A I danced on the speaker.

13 Q What dance did you do?

14 MS. GEDDES: Objection.

15 THE COURT: Overall do you remember what kind of
16 dance you did?

17 A I danced just like everyone else.

18 Q Do you know what a "twerk" is?

19 A Yes, I do.

20 Q Did you twerk?

21 MS. GEDDES: Objection.

22 A I was just moving my body just like everyone else.

23 Q When you were moving your body like everyone else, you
24 were twerking; weren't you?

25 MS. GEDDES: Objection.

JANE - CROSS - CANNICK

1087

1 THE COURT: Sustained.

2 A Yes, I was.

3 Q Okay.

4 THE COURT: I sustained the objection, but...

5 THE WITNESS: Oh, I'm sorry.

6 THE COURT: It's all right.

7 BY MR. CANNICK:

8 Q Now you testified that there came a point in time that
9 you got Mr. Kelly's number somehow.

10 A His entourage gave it to me, yes.

11 Q If my question asks a yes or no, please just give me a
12 yes or no.

13 A Okay, sorry.

14 Q And after you got his number, you told your parents; am I
15 correct?

16 A Yes.

17 Q And at some point you told your parents, in particular
18 your mother, that you think that Mr. Kelly was looking at you
19 and you think he likes you.

20 A I don't recall.

21 Q Now after you got his number, you made an effort to reach
22 out to him; am I correct?

23 A I did, yes.

24 Q And there was no response to your effort?

25 A Yes.

JANE - CROSS - CANNICK

1088

1 Q And basically there came a point in time that your mother
2 reached out to him; am I correct?

3 A Yes.

4 Q And your mother started texting him?

5 A Yes, she did.

6 Q And your mother started pretending that she was you; am I
7 correct?

8 A Yes, she did.

9 Q And she -- he asked your mother how old you were? How
10 old she was, pretending to be you?

11 A I don't know.

12 (Continued on the following page.)

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Jane - cross - Cannick

1089

1 EXAMINATION CONTINUES

2 BY MR. CANNICK:

3 Q You read those messages between Mr. Kelly and your mother
4 pretending to be you, am I correct?

5 A I didn't read all of them, no.

6 Q Now, did you read one where he asked your mother for a
7 picture?

8 A I just saw pictures, yes. That's, basically, all I saw.

9 Q And she sent him pictures of you, am I correct?

10 A Yes, she did.

11 Q Pretending to be you, am I correct?

12 A Yes, she did.

13 Q And one of the things that were sent was a video of you
14 dancing in your underwear, am I correct, singing and dancing
15 in your underwear, am I correct?

16 A That's not true.

17 Q That's not true?

18 A Yes.

19 Q Didn't send a picture of you singing and dancing in your
20 underwear?

21 MS. GEDDES: Objection.

22 A My mother? No.

23 Q You did.

24 A Oh, me. At a later -- at a later date, yes.

25 Q How long did your mother keep up this texting to Robert

Jane - cross - Cannick

1090

1 pretending to be you?

2 A It was only probably about two days.

3 Q Do you know how many texts were exchanged in that time?

4 A I do not, no.

5 Q Now, you didn't have to be 18 or older -- audition for
6 a -- for being a singer, am I correct?

7 A No.

8 Q Now, your parents were really invested in your music
9 career?

10 A Yes, they did support me.

11 Q Well, they did more than support you, they encouraged
12 you, am I correct?

13 A Yes, they did.

14 Q In fact, they put great pressure on you, am I correct?

15 A I think they just supported me.

16 Q Well, isn't it a fact that they beat you so that you
17 could --

18 MS. GEDDES: Objection.

19 THE COURT: Overruled.

20 BY MR. CANNICK:

21 Q Isn't it a fact that they beat you in order to make you
22 practice your music?

23 A Yes.

24 Q That beating started when you were in Baltimore, am I
25 correct?

Jane - cross - Cannick

1091

1 MS. GEDDES: Objection.

2 THE COURT: Could I see counsel at the side, please,
3 with the court reporter?

4 (Sidebar held outside the hearing of the jury.)

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7 (Continued on the following page.)

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Sidebar

1092

1 (The following sidebar took place outside the
2 hearing of the jury.)

3 THE COURT: I just want to clarify where we're going
4 here.

5 I think I know, but I ruled pretrial that even if
6 the parents had pushed her into a relationship with him, that
7 that is, obviously, not a defense. I mean they are what they
8 are, but I think that I'm right that the focus on the parents
9 right now is to support your theory that they and she
10 conspired to get money out of him?

11 MR. CANNICK: Get money out of him, yeah.

12 THE COURT: Extort him?

13 MR. CANNICK: Yes.

14 THE COURT: I don't know, I'm sure you have a good
15 faith basis for that, I'm not questioning that, but --

16 MR. CANNICK: Basically, Your Honor, is that she had
17 no interest in music at this time, none. The prosecutors
18 opened up yesterday saying that she was only interested in
19 pursuing her music and Mr. Kelly wanted sex.

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 THE COURT: But I precluded inquiry into that.

25 MR. CANNICK: Right, I'm not asking that.

1 THE COURT: Right.

2 MR. CANNICK: I'm trying to be very careful in
3 asking it in such a way to show that, basically, her parents
4 put great pressure on her and they were really invested in the
5 music career and really interested to try to get her together
6 with him.

7 THE COURT: I don't think there's anything wrong --
8 I mean, first of all, the jurors are going to have a natural
9 curiosity about where the parents were, but I am going to give
10 them an instruction at the end that even if the parents didn't
11 have a problem with this, that they can't consent for a
12 17-year-old.

13 So, I mean there is going to be some kind of an
14 instruction about the limit to which they can consider the
15 parents' involvement.

16 MR. CANNICK: I understand that.

17 THE COURT: But I don't know, I am guessing -- I
18 want to give you some latitude here and I am doing that, but I
19 just want to make sure we are not crossing over into what I've
20 precluded.

21 So, I think you need to get to the point where you
22 say there is an extortion, which that's legitimate.

23 Whether her parents were abusive to her, I don't
24 think is consistent -- just let me finish -- is consistent
25 with that and I am not sure how relevant it is.

1 Let me just hear from the prosecutor, and then I'll
2 hear from you.

3 MS. GEDDES: First of all, the witness has now
4 established that she was, in fact, beaten by her parents.
5 That's now out there. There is no basis to go further back
6 into her childhood and make her relive any abuse that she
7 suffered by her parents in front of everybody today.

8 This is not a trial of the witness's parents, and
9 that is what they're making this out to be.

10 You can go forward with your extortion theory in a
11 different way without -- I mean she lived in Baltimore years
12 earlier. It's just not relevant when the abuse began or what,
13 frankly, the nature of the abuse is.

14 THE COURT: I don't see that you're going into an
15 exploration of her childhood, are you?

16 MR. CANNICK: Far from that.

17 MS. GEDDES: But when did she --

18 THE COURT: But let me just finish.

19 MS. GEDDES: Sorry.

20 THE COURT: Calm down.

21 If you have evidence that, and I am saying this
22 because you have to say you have a good faith basis that they
23 wanted to get money out of him, that's certainly an
24 appropriate area, but only to the extent that she's aware of
25 it.

Sidebar

1095

1 And so, if there is some evidence that she's aware
2 of what her parents' motives are, that's fine. But I think
3 there's been enough about whether her parents beat her. I
4 mean I thought she testified that she was in the choir and all
5 these other things.

6 Are you saying that that wasn't her own choice?

7 MR. CANNICK: No.

8 THE COURT: She was in two choirs.

9 MR. CANNICK: Right.

10 THE COURT: And what's the basis for that? Is that
11 in the materials?

12 I haven't read all the materials.

13 MS. GEDDES: What is in the materials is that her
14 parents put pressure on her to succeed in the music world.

15 There's nothing in there saying that she didn't want
16 to do Patriot Singers or the other activities that they did.

17 But I still don't think we need to go any further
18 into any physical abuse that the witness -- that the vic --

19 THE COURT: I mean to the extent that it's relevant,
20 I don't know, it seems marginally relevant, at best, to this
21 extortion business unless you are saying they forced her into
22 it, which I don't take that to be your argument.

23 MR. CANNICK: No.

24 THE COURT: I take it your argument is that they
25 are, basically, stage parents that don't really care about

Sidebar

1096

1 their child's welfare and have turned sort of a blind eye to
2 what's happened to her, but I don't know how helpful that is
3 to your case. But that's not my point.

4 MR. CANNICK: Right.

5 THE COURT: But if you have evidence that there is a
6 line of inquiry that she conspired with her parents to get
7 money out of him, perfectly fine.

8 MR. CANNICK: Yes, we do.

9 THE COURT: Let's go to that and stay away from --

10 MR. CANNICK: Okay.

11 THE COURT: -- her childhood. Okay?

12 MS. GEDDES: So, are we moving past any question --

13 THE COURT: Why don't you let me -- stay in your
14 lane, I'll take care of it.

15 MR. CANNICK: Absolutely, because I am not going to
16 listen to you.

17 (Sidebar concluded.)

18

19 (Continued on the following page.)

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Jane - cross - Cannick

1097

1 (In open court - jury present.)

2 THE COURT: All right, let's move on.

3 MR. CANNICK: Thank you.

4 EXAMINATION CONTINUING

5 BY MR. CANNICK:

6 Q Now, you testified yesterday about some black panty that
7 you got at the show, am I correct?

8 A Yes.

9 Q And you testified and told us that Mr. Kelly gave it to
10 you?

11 A Yes, he did.

12 Q Okay. This is when you were in the pit?

13 A Yes.

14 Q You weren't the only person that received the black panty
15 that night, am I correct?

16 A No, I was not.

17 Q And, in fact, the next day you went on social media about
18 it, am I correct?

19 A I did, yes.

20 Q And what did you put on social media about it?

21 A I believe I made a post pertaining to the black panties
22 that he had given me.

23 Q What did you say about the black panty?

24 A I don't remember verbatim.

25 MR. CANNICK: I am going to ask that I be allowed to

Jane - cross - Cannick

1098

1 approach, Your Honor?

2 THE COURT: Sure.

3 MS. GEDDES: Your Honor, may I see it as well?

4 BY MR. CANNICK:

5 Q Is that a public post that you referenced?

6 A Yes.

7 Q You made that?

8 A Yes, I did.

9 Q And you made that -- that's the post that you made
10 pertaining to the black panty?

11 A Yes.

12 Q Receiving the black panty?

13 A Yes.

14 MR. CANNICK: Your Honor, I am going to offer that
15 as a defense exhibit.

16 THE COURT: Any objection?

17 MS. GEDDES: None.

18 THE COURT: Okay, that's in evidence.

19 MR. CANNICK: I think this is N.

20 (Defense Exhibit N was received in evidence.)

21 MR. CANNICK: And we are going to ask that it be
22 published, Your Honor, to the jury.

23 (Exhibit published to the jury only.)

24 THE COURT: Is this jury only?

25 MR. CANNICK: Yes, Your Honor.

Jane - cross - Cannick

1099

1 THE COURT: Okay.

2 (Pause.)

3 MR. CANNICK: Thank you, Your Honor.

4 BY MR. CANNICK:

5 Q Now, in April 2015 you were a member of the Patriot
6 Singers, you said?

7 A Yes, I was.

8 Q And how long had you been with that group?

9 A I had been with that group the entire year. You had to
10 audition.

11 Q Okay. And you testified yesterday about losing a
12 scholarship that you had received or scholarships you had
13 received for college.

14 Where were those scholarships, what schools?

15 A No, no, no, I think you misunderstood me.

16 By me getting homeschooled, I could no longer be --
17 I could no longer be eligible to get those scholarships.

18 Q So, you were never offered a scholarship?

19 A No, but we were studying to.

20 Q Now, when you -- in April of 2015 you were taking a break
21 from music, am I correct?

22 A I don't recall.

23 Q You don't recall whether or not -- you don't recall
24 whether or not you were taking a break from music?

25 MS. GEDDES: Objection.

Jane - cross - Cannick

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1 THE COURT: Overruled.

2 A I -- I actually was -- I don't think so. No, I had just
3 actually shot a release single.

4 Q And what was the name of that single?

5 A It was called Liar Liar.

6 Q And it was released at that time?

7 A No, it was unreleased. I believe we had just got back
8 the finalized edits.

9 Q And when was it that you got back the finalized edit?

10 A I believe it was in April.

11 Q Was it before the concert or after the concert?

12 A I believe it could have been before.

13 Q Okay.

14 Well, when you met with the Government, didn't you
15 tell them that as of April 15th, around the time of this
16 concert, that you had taken a break from music?

17 A As in break --

18 Q Don't look at them, please.

19 A I'm not.

20 Q Answer my question.

21 A No.

22 Q Did you tell the Government during your meetings with
23 them that around April, the time of the concert, that you had
24 taken a break from music?

25 A By break, I had been transitioning; yes.

Jane - cross - Cannick

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1 Q And when you say "transitioning," what do you mean?

2 A Meaning that prior to April I had been doing shows making
3 income from doing cover songs, and I was transitioning into
4 releasing my own music. So, I was taking a break.

5 Q So, that's what you call taking a break?

6 A Yes.

7 MR. CANNICK: Your Honor, may we approach?

8 THE COURT: Yes.

9 With the court reporter?

10 MR. CANNICK: Yes, Your Honor.

11 (Sidebar held outside the hearing of the jury.)

12

13 (Continued on the following page.)

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Sidebar

1102

1 (The following sidebar took place outside the
2 hearing of the jury.)

3 THE COURT: So, just before we begin, please don't
4 give instructions to the witness, I'll take care of that, if
5 you need it.

6 MR. CANNICK: Okay.

7 THE COURT: What is it you want?

8 MR. CANNICK: Your Honor, in her 302 she clearly
9 stated that she was taking a break from music at around the
10 time that she had met Mr. Kelly.

11 THE COURT: Right.

12 MR. CANNICK: She was no longer interested in music
13 because of the pressure that her parents had put upon her, and
14 she's clearly lying about it now. And when I -- I don't
15 want --

16 THE COURT: You haven't shown her the statement.

17 MR. CANNICK: I am going to show it to her.

18 THE COURT: Okay.

19 MR. CANNICK: I am going to show it to her.

20 THE COURT: I thought you forgot.

21 MR. CANNICK: No, I just have someone who is
22 retrieving it for me, but I think this is opening the door to
23 get in the fact that she -- why she's taking a break. I don't
24 want to get into it, but she just has to own up to it.

25 THE COURT: First of all, you were kind of opening

Sidebar

1103

1 the door, not her. But I think it's okay to ask her if her
2 parents were pressuring her. That's fine.

3 MR. CANNICK: Okay.

4 THE COURT: We're just not going down the road into
5 when you were six --

6 MR. CANNICK: I don't want to do that.

7 THE COURT: -- and all those things.

8 So it's fine, we're talking about the time around
9 when it started, that's fine.

10 MR. CANNICK: Okay.

11 THE COURT: And obviously, just general rule, we are
12 not having, and I am not suggesting you would do this, but I
13 did preclude inquiry into a number of areas, which I'm sure
14 you remember, but anything around the area you can show her
15 the --

16 MR. CANNICK: Okay.

17 THE COURT: -- I don't need to tell you how to do
18 that, sorry.

19 (Sidebar concluded.)

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23 (Continued on the following page.)

24

25

Jane - cross - Cannick

1104

1 (In open court - jury present.)

2 THE COURT: Whenever you're ready, Mr. Cannick.

3 MR. CANNICK: Okay, thank you.

4 EXAMINATION CONTINUES

5 BY MR. CANNICK:

6 Q Now, your parents proposed a number of business deals
7 with Mr. Kelly, am I correct?

8 A Yes, they did.

9 Q And one of the business deals that they proposed to
10 Mr. Kelly was to endorse a bluetooth dildo, am I correct?

11 A That is correct, yes.

12 Q And, in fact, they made a number of efforts to try to get
13 him to do this, am I correct?

14 A Yes.

15 Q And the feature of this dildo was in use, it would sing
16 Mr. Kelly's music, correct?

17 A Correct, yes.

18 Q And it was your mother who was pretty much promoting
19 this, am I correct?

20 A I don't remember which one of them it was.

21 Q And Mr. Kelly refused, am I correct?

22 A No, he actually told them to give him a proper proposal.

23 Q Did they give him a proper proposal?

24 A I don't know.

25 Q At your graduation, didn't your mother approach Mr. Kelly

Jane - cross - Cannick

1105

1 again about endorsing this bluetooth dildo and he refused?

2 A No, at graduation that's when he told them to send him a
3 proper proposal.

4 Q And it's your testimony here today under oath that he
5 never rejected this proposal?

6 MS. GEDDES: Objection.

7 THE COURT: Overruled.

8 Do you recall whether he rejected the proposal?

9 THE WITNESS: In their face, no.

10 BY MR. CANNICK:

11 Q Do you recall him ever rejecting the proposal?

12 A He did confide in me later, yes.

13 Q What was that?

14 A He just said that it was not something that he could ever
15 do.

16 Q Not something he could ever do, right?

17 A Correct.

18 MS. GEDDES: Objection.

19 THE COURT: Overruled.

20 That's what he said?

21 THE WITNESS: Uh-hum.

22 THE COURT: All right, next question.

23 BY MR. CANNICK:

24 Q They also tried to get him to fund a food truck, am I
25 correct?

Jane - cross - Cannick

1106

1 A I believe so, yes.

2 Q And he declined that one as well, am I correct?

3 A Yes.

4 Q And your father tried to get him to let him operate
5 Mr. Kelly's lighting show for his concerts, am I correct?

6 A Yes, he did.

7 Q And Mr. Kelly declined that, am I correct?

8 A Yes, he did.

9 Q Then your mother tried to get a job working for
10 Mr. Kelly, am I correct?

11 A I actually told her to do that.

12 Q Okay. But the answer to my question would be yes?

13 A I asked her to do that, yes.

14 Q No, I didn't ask --

15 THE COURT: Let me.

16 Just do your best just to answer the question that
17 Mr. Cannick is asking you.

18 THE WITNESS: Okay.

19 THE COURT: Okay.

20 THE WITNESS: Okay.

21 THE COURT: Put the question again, Mr. Cannick,
22 please.

23 THE WITNESS: Yes.

24 THE COURT: Oh, the answer is yes; okay.

25 MS. GEDDES: I think she was --

Jane - cross - Cannick

1107

1 THE WITNESS: I was asking to repeat --

2 MS. GEDDES: -- asking him to repeat the question.

3 MR. CANNICK: Could you read it back for me?

4 THE COURT: Yes. And I would just appreciate if
5 everyone would let me do my part of the job, I think I got it.
6 Okay?

7 All right, if you can read it back, that would be
8 fine.

9 (Question read.)

10 A I would have to say that wasn't true.

11 Q Well, your mother didn't try to get a job with Mr. Kelly
12 as an assistant?

13 A I told her to do that.

14 Q Your mother didn't try to get a job with Mr. Kelly as an
15 assistant?

16 A Herself, no. I told her to do that.

17 THE COURT: But then did she do it?

18 THE WITNESS: Yes, she did.

19 THE COURT: Okay.

20 BY MR. CANNICK:

21 Q Your mother didn't try to get a job with Mr. Kelly as his
22 driver?

23 A Yes, she did.

24 Q Did she get the job?

25 A No, she did not.

Jane - cross - Cannick

1108

1 Q Now, at some point your mother told you to take pictures
2 and information regarding Mr. Kelly so it could be used, those
3 items could be used for potential blackmail, am I correct?

4 A No.

5 Q I'm not correct?

6 A That is not true.

7 Q And that is your testimony under oath here?

8 A Yes.

9 (Pause.)

10 THE COURT: Just tell the Government what you're
11 referring to, if you don't mind.

12 MR. CANNICK: █-2, page 2.

13 MS. GEDDES: Thank you.

14 BY MR. CANNICK:

15 Q Now, isn't it a fact -- isn't it a fact that you told the
16 Government in a meeting on January 9th, 2020 that before you
17 met Mr. Kelly you were taking a break from music and enjoying
18 life?

19 A Yes, I was transitioning; yes.

20 Q Now, you testified and told us yesterday that there was a
21 meeting that you had with Mr. Kelly at the Dolphin Hotel?

22 A Yes.

23 Q And you testified and told us the manner that you were
24 dressed when you went to that meeting, am I correct?

25 A Pardon me?

Jane - cross - Cannick

1109

1 Q You testified and told us yesterday about the attire that
2 you wore at that meeting, am I correct?

3 A Yes.

4 Q And there was a photograph of you in evidence that you
5 identified as the outfit that you wore on that day, am I
6 correct?

7 A Yes.

8 Q Now, when you met with the agent in this interview that
9 you had with them, you told them that you were dressed in
10 baggy clothes, am I correct?

11 THE COURT: What kind of clothes?

12 MR. CANNICK: Baggy.

13 THE COURT: Okay.

14 A To meet him?

15 Q Isn't it a fact that when you met with the agents -- when
16 I say the agents, the Government?

17 A Okay.

18 Q Isn't it a fact that you told them that when you met with
19 Mr. Kelly on the date that you went to the Dolphin Hotel, that
20 you were dressed in sweat clothes?

21 A No.

22 Q And you're as absolute about that as anything else you've
23 testified to?

24 A Yes.

25 MS. GEDDES: Objection.

Jane - cross - Cannick

1110

1 THE COURT: Overruled.

2 BY MR. CANNICK:

3 Q Now, and isn't it a fact that you told the Government in
4 your meeting with them that you had just gotten out of a
5 weightlifting class and you were sweating?

6 A No, I told that to the defendant.

7 Q Okay.

8 Now, when you had the meetings with the Government,
9 you were advised by the agents that they were government
10 officials, am I correct?

11 A Yes, I was.

12 Q And they advised you that making a false statement to a
13 government official is a crime, am I correct?

14 A Yes, they did.

15 Q And they told you the consequences of making that
16 statement, making a false statement?

17 A No.

18 Q But you know what a crime is, correct?

19 A I do, yes.

20 MR. CANNICK: Too many pieces of paper, Your Honor,
21 may I just have a moment to retrieve it?

22 THE COURT: Yes.

23 (Pause.)

24 BY MR. CANNICK:

25 Q Now, I asked you earlier about your mother seeking

Jane - cross - Cannick

1111

1 employment with Mr. Kelly and you told me that it was -- that
2 was your suggestion.

3 Do you remember telling me that?

4 A Yes, it was.

5 Q Now, when you met with the Government did you tell them
6 that your mother suggested that she could be employed by
7 Mr. Kelly?

8 A I don't remember.

9 Q I'm going to show you this document and see if it
10 refreshes your recollection.

11 MR. CANNICK: May I approach, Your Honor?

12 THE COURT: Yes.

13 BY MR. CANNICK:

14 Q Just direct your attention to the upper, to the upper
15 portion.

16 A Okay. Which part?

17 Q Let me have that.

18 A Sorry; the front or the back?

19 Q This top paragraph.

20 A Yes.

21 Q Have you read the document?

22 A Yes, I did. Yes.

23 Q Did that refresh -- did it refresh your recollection that
24 it was your mother who suggested that she get a job with
25 Mr. Kelly?

Jane - cross - Cannick

1112

1 A They could have did that inaccurately.

2 Q I didn't ask you that, whether or not what they could
3 have done.

4 A Yeah.

5 Q What I'm asking you is did the document refresh your
6 recollection that it was your mother who asked -- who
7 suggested she get a job?

8 A No, I still did suggest those jobs to my mother.

9 Q So, after having read that --

10 A Yes.

11 Q -- it does not refresh your recollection?

12 A No.

13 Q But you read the document and you saw it there, am I
14 correct?

15 A Yes, uh-hum.

16 (Pause.)

17 MR. CANNICK: Your Honor, I am going to move to
18 another area.

19 THE COURT: Okay.

20 MR. CANNICK: I'm done with the 302's.

21 BY MR. CANNICK:

22 Q Now, you testified there came a point in time that you're
23 at the Dolphin Hotel and that, according to you, my client,
24 Mr. Kelly, asked you to perform certain sexual function --
25 behavior on you?

Jane - cross - Cannick

1113

1 A Yes, he did.

2 Q Okay. And you testified that there came a point in time
3 that he actually did and then police came, am I correct?

4 A Yes, that is true.

5 Q And when the police came, you were still in the room, am
6 I correct?

7 A I was in the restroom.

8 Q But when the police were there, you were in the room, am
9 I correct?

10 A Yes, I was.

11 Q And you spoke to them, correct?

12 A Yes, I did.

13 Q They asked you your age?

14 A They did, yes.

15 Q You told them 18?

16 A I did, yes.

17 Q They asked you for identification?

18 A I did, yes.

19 Q You gave them identification, am I correct?

20 A Yes, I did.

21 Q They studied the identification?

22 A Uh-hum.

23 Q Is that a yes?

24 A Yes. Sorry, yes.

25 Q And after they finished studying the identification, they

Jane - cross - Cannick

1114

1 had you call your parents, am I correct?

2 A Yes, I did.

3 Q And you put the phone on speaker?

4 A Yes, I did.

5 Q And you spoke to your parents, am I correct?

6 A I did; yes.

7 Q Now, and your parents spoke to you in the presence of the
8 officers?

9 A Yes.

10 Q And they never asked you to come downstairs, am I
11 correct?

12 A No, they did not.

13 Q You didn't tell Mr. Kelly that, well, you know what,
14 enough of this, I'm going with the officers?

15 A No, I did not.

16 Q You didn't tell the officers that Mr. Kelly violated you,
17 am I correct?

18 A I had not, no.

19 Q In fact, according to you, you stayed in the room and
20 continued the sexual encounter with Mr. Kelly, am I correct?

21 A I did, yes.

22 Q And according to you, you stayed in the room and
23 continued the sexual encounter after the officers had left, am
24 I correct?

25 A Yes, I did.

Jane - cross - Cannick

1115

1 Q And then according to you, you didn't want this to
2 happen, am I correct?

3 A I did not want this to happen, no.

4 Q And you felt violated, am I correct?

5 A I did, yes.

6 Q In fact, you were outraged, am I correct?

7 A Yes, I was.

8 Q But according to you, he came back into town and you got
9 back with him within a couple of days, am I correct?

10 A No, he had flown me out to the city he was in.

11 Q Well, isn't it your testimony that he stayed in town and
12 while he was in town you and he got back together sexually?

13 A No, I think you misunderstood me.

14 Q Don't tell me what I'm misunderstanding.

15 MS. GEDDES: Objection.

16 Q Okay?

17 MR. CANNICK: It's either yes or no, Your Honor.

18 THE COURT: I haven't said a word.

19 MR. CANNICK: Okay. I'm sorry.

20 BY MR. CANNICK:

21 Q Didn't you testify yesterday that he was -- he was in
22 Orlando for a few other days and you and he got back together
23 a couple more times?

24 A No, that's not what I said yesterday.

25 Q Okay.

Jane - cross - Cannick

1116

1 And so, after you felt so violated and outraged, you
2 flew out to meet him?

3 A Under the impression he would teach me techniques.

4 Q No --

5 THE COURT: Just answer the question.

6 THE WITNESS: Okay.

7 THE COURT: You don't have to explain. If there's
8 something that needs explaining, the Government can ask you on
9 redirect.

10 THE WITNESS: Okay.

11 THE COURT: So, what is the answer to Mr. Cannick's
12 question?

13 THE WITNESS: Okay. Can you reask it?

14 BY MR. CANNICK:

15 Q After being violated, outraged and devastated, you flew
16 out to meet him, am I correct?

17 A I did, yes.

18 Q And how shortly after, was it, you were violated,
19 outraged and devastated, that you went out to meet him?

20 A How soon?

21 Q Yes.

22 A Probably -- most likely, the next weekend.

23 Q Did your parents go with you?

24 A They did not.

25 Q Did your -- do you have an older brother?

Jane - cross - Cannick

1117

1 A I do, yes.

2 Q Did he go out with you?

3 A He did not.

4 Q Did a chaperone go out with you?

5 A No, I had no chaperone.

6 Q Do you have an older sister?

7 A I do, yes.

8 Q Did the older sister go out with you?

9 A She did not, no.

10 Q You went out by yourself, am I correct?

11 A I did, yes.

12 Q Did you tell your parents about the violation that
13 Mr. Kelly supposedly committed upon you before going out to
14 meet up with him?

15 MS. GEDDES: Objection.

16 THE COURT: Overruled.

17 A Absolutely not.

18 Q Did you tell anybody?

19 A No one.

20 Q Now, when you went out the first time, where did you go?

21 A I believe we were on the west coast in LA.

22 Q And you took time off from school?

23 A I tried to go on the weekend.

24 Q My question is did you take time away from school on this
25 trip?

Jane - cross - Cannick

1118

1 A I believe it was the weekend.

2 Q Didn't you testify yesterday that that trip occurred on
3 the 21st of -- well, you tell me, what was the date of the
4 trip?

5 A I don't -- I don't actually remember the date for
6 meeting, I would need the evidence.

7 Q And where were you on that trip?

8 A California.

9 Q And you testified and told us yesterday that you were
10 flown out there by Mr. Kelly?

11 A His assistant.

12 Q Yes or no, ma'am.

13 A Yes.

14 Q Okay. And you were shown a ticket yesterday for the
15 trip?

16 A Yes.

17 Q Where specifically did you fly?

18 A To California.

19 Q Does April 28th sound familiar, of 2015?

20 A That does sound familiar, yes.

21 Q Do you remember what day of the week April 15th [sic] was
22 in 2015 --

23 MS. GEDDES: Objection.

24 Q -- April 28th was in 2015?

25 THE COURT: You're not objecting to that, are you?

Jane - cross - Cannick

1119

1 MS. GEDDES: No.

2 THE COURT: Okay.

3 A I don't know.

4 MR. CANNICK: Your Honor, may I approach?

5 THE COURT: Yes.

6 BY MR. CANNICK:

7 Q I'll ask you to look at this and see if it refreshes your
8 recollection.

9 That's a calendar, right?

10 A Yes.

11 Q The calendar is for April 2015, am I correct?

12 A Yes.

13 Q What date is -- what day is April 28th?

14 A It is on a Tuesday.

15 Q That was a school day, was it not?

16 A Yes, it was.

17 Q Did you have school the following day?

18 A I did, yes.

19 Q Did you have school the following day?

20 A I did, yes.

21 Q So, the answer to my question earlier about whether or
22 not you took time away from school to go, the answer would be
23 yes, am I correct?

24 A Yes, that is true.

25 Q And you went with your parents' permission, am I correct?

Jane - cross - Cannick

1120

1 A Yes, I did.

2 Q How long did you stay out on that trip?

3 A I don't remember, but it was definitely days.

4 Q Didn't you testify yesterday that you got stuck out
5 there?

6 A Yes.

7 Q And when you say "stuck," what do you mean?

8 A Meaning that, like, if it was in the middle of a school
9 week, I wouldn't be returning until Sunday or Monday.

10 Q Well, didn't you go to another concert on May 1st?

11 A Yes, I did.

12 Q Where was that concert?

13 A I don't recall.

14 Q And that concert was on the west coast, was it not?

15 A I don't recall, I'm sorry.

16 Q Does Stockton, California, sound correct?

17 A Yes, that does.

18 Q And you didn't fly home on -- in between going to the
19 west coast on the 28th of April and May 1st, did you?

20 A I don't know.

21 Q May 1st was a weekend, am I correct?

22 A I don't --

23 Q Let me show you this and see if it refreshes your
24 recollection.

25 A Thank you. Yes, May 1st is a Friday.

Jane - cross - Cannick

1121

1 Q So, you didn't fly back home after flying out on
2 April 28th, am I correct?

3 A No.

4 Q I'm not correct?

5 A Oh, no, you are correct; sorry.

6 Q And you said you went to Stockton, California?

7 A Yes.

8 Q And that was for a show, am I correct?

9 A Yes.

10 Q And you stayed at that show.

11 What was the next show that you then went to?

12 A After California, I believe it was Las Vegas.

13 Q And you didn't go back to the east coast, back to
14 Orlando, am I correct?

15 A I don't know.

16 Q You don't know whether or not you went back to your home
17 between then -- what was the show, the date of the show in Las
18 Vegas?

19 A I don't recall the -- that's what I'm saying, I don't
20 recall the date of the show in Las Vegas.

21

22 (Continued on the following page.)

23

24

25

Jane - cross - Cannick

1122

1 BY MR. CANNICK: (Continuing)

2 Q Now, I'm going to show you this document and see if it
3 refreshes your recollection as to the date of the concert in
4 Las Vegas.

5 (Pause.)

6 A May 3rd.

7 Q May 3rd was the date?

8 A Yes. 2015.

9 Q And you didn't fly back from Stockton to Orlando in
10 between the May 3rd and May 1st date, did you?

11 A I don't think so.

12 Q And what day of the week was May 3rd?

13 A Oh, I don't know. I'm sorry.

14 MS. GEDDES: Your Honor, we'll stipulate that it was
15 a Sunday.

16 THE COURT: Okay. Thanks.

17 Q And the next concert that you attended with Mr. Kelly was
18 where?

19 A I don't know.

20 Q Now, when was it that you actually left school to just
21 continue to fly around and go to these shows?

22 A It was about the ending of May.

23 Q Ending of May?

24 A Yes.

25 Q And before you left school to just fly around

Jane - cross - Cannick

1123

1 consistently, how many shows had you attended before doing it
2 pretty much on a regular basis?

3 A I guess whatever tours, shows he had did between April to
4 May.

5 Q And it didn't matter if it was a school day or not, am I
6 correct?

7 A It did matter, yes, actually.

8 Q How so?

9 A I would have to make up a lot of work when I would go
10 back to school, like I had to stay after school and make up
11 work.

12 Q So you would make up attendance, right?

13 A No.

14 Q Either you're there or not there?

15 A Yes.

16 Q Now, and these shows that you are going around the
17 country with Mr. Kelly and his ensemble, your parents went
18 with you, am I correct?

19 A No, they did not.

20 Q No siblings, am I correct?

21 A No.

22 Q No chaperone, am I correct?

23 A No.

24 Q And the meeting that you had with Mr. Kelly at the
25 Dolphin Hotel, that was an audition, am I correct?

Jane - cross - Cannick

1124

1 A Yes, it was.

2 Q Your parents didn't go with you to that audition, am I
3 correct?

4 A No, they did not.

5 Q You went there in skinny jeans, you said?

6 A Yes, sir.

7 Q Some type of cropped --

8 A A crop top.

9 Q Crop top?

10 A The top was mesh, yes.

11 Q Mesh? And you went there, according to you, to audition
12 to see how he would evaluate your singing ability, am I
13 correct?

14 A Yes, sir.

15 Q And that was important to you, am I correct?

16 A Very important.

17 Q And that was important to your mother, am I correct?

18 A Yes.

19 Q And you testified and told us that there came a point in
20 time during your meeting, your initial meeting with Mr. Kelly
21 in the Sprinter van that he asked you for a kiss?

22 A Yes, he did.

23 Q Now, when he asked you for a kiss at that point in time,
24 this is before you went upstairs, am I correct?

25 A Correct.

Jane - cross - Cannick

1125

1 Q And you got out of the van, am I correct?

2 A Yes, we did.

3 Q And how did you get to the Dolphin Hotel?

4 A I had a car that my parents had given me.

5 Q And when you got out of the van, you didn't go to your
6 car, turn it on and say, I'm getting the hell out of here,
7 correct?

8 A No, they made me park my car.

9 Q They didn't withhold your car; you could have had your
10 car again, am I correct?

11 A They had the ticket.

12 Q Right. But you could easily go and get them, give them
13 the ticket to get your car?

14 A I'm saying his entourage had the ticket.

15 Q All right. And your testifying, telling us that because
16 his entourage had the ticket, you couldn't get your car?

17 A Yeah, no, it was a thing that went up, that you needed to
18 scan the ticket to get your car out of the parking.

19 Q And so because of that, you had to go upstairs?

20 A No, I didn't have to go upstairs because of that.

21 Q Okay. You could have gotten home, am I correct?

22 A Yes.

23 Q Now, you testified and told us that after you got
24 upstairs, Mr. Kelly asked you to relieve him, am I correct?

25 A He did, yes.

Jane - cross - Cannick

1126

1 Q And he said that he needed to be relieved before he could
2 listen to you audition, am I correct?

3 A That is true.

4 Q And isn't it a fact when you met with the government, you
5 told them that, well, in one of the interviews, you told them
6 that Mr. Kelly basically was masturbating while you sang?

7 A While what?

8 Q While you were singing.

9 A No, that's not -- I don't think you understood what I
10 said accurately.

11 Q No. My question -- it was nothing you told me, ma'am.

12 A Okay.

13 Q My question is isn't it a fact that when you met with the
14 government, you told them that Mr. Kelly was masturbating
15 while you sang?

16 A I never said that, no.

17 Q Never said that, right?

18 A No, not that I recall.

19 Q You never said it?

20 A I don't recall saying that.

21 Q Now, when you were meeting with the government, there was
22 someone in the room taking notes, am I correct?

23 A I believe so, yes.

24 Q There was more than one person in the room, am I correct?

25 A Uh-huh. Yes.

Jane - cross - Cannick

1127

1 Q And they were taking notes, multiple people were taking
2 notes of what you were saying, am I correct?

3 A Yes.

4 Q You saw them actually writing down as you were speaking,
5 am I correct?

6 A Yes.

7 Q Now, and you told us that Mr. Kelly made these entreaties
8 of you and you rejected him, am I correct?

9 A I did, yes.

10 Q And there came a point in time that he told that he would
11 take care of you for the rest of your life if you allowed him
12 to, to have sexual pleasure with you, am I correct?

13 A He did, yes.

14 Q And you never went home and told your parents any of
15 this, am I correct?

16 A Never.

17 Q And when your parents called up at the room -- well, when
18 you called your parents from the room, you had them on
19 speaker, you didn't tell them anything about this at all, am I
20 correct?

21 A Of course not.

22 Q And you testified that he had video, iPads out during
23 this encounter?

24 A Yes.

25 Q Okay. And they were on?

Jane - cross - Cannick

1128

1 A Yes.

2 Q And he was recording what was going on, am I correct?

3 A No. No. No. At that point, he was watching something
4 and I could not see what it was. I just saw him pull out an
5 iPad.

6 Q You just saw him pull out an iPad?

7 A Yes.

8 Q And you told the government about that during those many
9 meetings?

10 A I believe so, yes.

11 Q And your single is called, "Liar Liar," am I correct?

12 MS. GEDDES: Objection.

13 THE COURT: Overruled.

14 A Yes.

15 Q You testified earlier about the fact that there were a
16 number of women living with Mr. Kelly?

17 A Yes.

18 Q And I think you testified that there came a point in time
19 that some of them had left?

20 A Yes.

21 Q Now, a number of them lived there off and on, am I
22 correct?

23 A No.

24 Q I'm not correct?

25 A You're not correct.

Jane - cross - Cannick

1129

1 Q Didn't Juice live there off and on?

2 A No, Juice was with him twenty, like, almost every hour
3 out of the day.

4 Q Juice didn't have a job?

5 A No, Juice did not.

6 Q Juice had a car, right?

7 A No, Juice did not.

8 Q And Juice -- when was it that she left, according to you?

9 A I don't remember the, like when she left. I just
10 remember the order of which girls left. So I don't know if
11 that's helpful.

12 Q And what about --

13 MR. CANNICK: May I speak to the government?

14 THE COURT: Sure.

15 (Pause.)

16 Q I'm showing you what's been admitted into evidence as
17 Government Exhibit 76.

18 Did that person live in the house?

19 A I don't know.

20 Q Do you know who that person is?

21 A I do, yes.

22 Q Did you see this person in the house?

23 A Yes, I would.

24 THE COURT: Just to be clear, are we talking about
25 the house in Atlanta?

Jane - cross - Cannick

1130

1 MR. CANNICK: Either house.

2 THE COURT: Oh, okay.

3 THE WITNESS: In Atlanta?

4 MR. CANNICK: Either house.

5 THE COURT: Did you see that person in -- this is my
6 fault. I'm confused about where the houses are. Atlanta and
7 Chicago, correct?

8 MR. CANNICK: Yes.

9 THE COURT: Okay, so --

10 A Yes, I did.

11 Q Now I'm confused?

12 A You asked did I see her at the house. Yes, I did, in
13 Chicago and both Atlanta.

14 Q And was she living at the house in Chicago?

15 A I, I don't know.

16 Q Was she living at the house in Atlanta?

17 A I don't know.

18 Q When you saw her at the house in Atlanta, was it for one
19 day?

20 A Usually he -- it was at his discretion.

21 Q Don't tell me about --

22 A I would only see her when he would want me to.

23 Q When he would want you to. Did you have dinners --
24 withdrawn.

25 The women who lived with Mr. Kelly, you would all

Jane - cross - Cannick

1131

1 eat together from time to time, am I correct?

2 A Yes.

3 Q You would go to movies together, am I correct?

4 A Seldom, yes.

5 Q Did you go bowling together?

6 A I don't recall going bowling.

7 Q Did you go to picnics together?

8 A We would go to parks.

9 Q You would play volleyball together?

10 A I don't recall that.

11 Q You would have dinner together?

12 A Yes.

13 Q And that would be at all of the houses, am I correct?

14 A Yes.

15 Q And, basically, you functioned as family, am I correct?

16 A I wouldn't call it a family, no.

17 Q You wouldn't call it a family now but back then, you

18 operated as a family, correct?

19 A Controlled, yes.

20 Q Ma'am, you were there, am I correct?

21 A I was.

22 Q You stayed there, am I correct?

23 A I did, yes.

24 Q And you ate with them, am I correct?

25 A I did.

Jane - cross - Cannick

1132

1 Q You went to the movies with them, am I correct?

2 A Yes.

3 Q Now, you testified yesterday about my client not
4 celebrating Christmas. Do you remember telling us about that?

5 A All holidays.

6 Q All holidays. Do you recall my, Mr. Kelly taking --
7 withdrawn.

8 Do you recall Mr. Kelly renting a house in
9 California for a Christmas holiday?

10 A Yes, I do.

11 Q Do you recall Mr. Kelly taking videos of all of you
12 during the Christmas holiday?

13 A I do.

14 Q Do you recall Mr. Kelly giving gifts on Christmas?

15 A I do, yes.

16 Q Do you recall Mr. Kelly specifically giving each of you,
17 at minimum, \$10,000 to go and buy gifts for each other?

18 A I do.

19 Q So he's not -- he doesn't celebrate Christmas, no
20 holidays, in fact?

21 A No. What I said was they were delayed.

22 Q My question is you testified and told us earlier that he
23 didn't celebrate any holidays and my question to you is --

24 A That's not true. I said the holidays were delayed and
25 that if he was not celebrating, I could have went home to my

Jane - cross - Cannick

1133

1 family.

2 Q You wanted to get that out, right?

3 MS. GEDDES: Objection.

4 THE COURT: Sustained.

5 Is this a good time to break?

6 MR. CANNICK: A very good time.

7 THE COURT: All right. Ladies and gentlemen, we are
8 going to break. Just before we do, I told you that I would,
9 and I'm not taking credit for this schedule, Ms. Greene did
10 this, but I just want to go over the days that -- anyway.
11 I'll stop.

12 So we are going to work through Thursday this week,
13 we'll be off on Friday. Next week, we initially were going to
14 be off on the 3rd but because the following week, we have so
15 many days off, we're going to work on the 3rd, on Friday
16 the 3rd. Then next week, we have Labor Day and two days of
17 Rosh Hashanah. So we will not be working the 6th, 7th or the
18 8th, but we'll be back on the 9th or the 10th. Then the last
19 week in September, Yom Kippur is on the 16th which is a
20 Thursday and we'll break a little bit early on the 15th in
21 case, you know, people have a dinner to go or something, but
22 we will be working on the 17th as well.

23 So if you have questions about that, why don't you
24 direct them to Ms. Greene. All right? I'm trying to make the
25 best use of the time we have and I think we're on schedule but

1134

1 now we're going to break for lunch.

2 Please don't talk about the case at all but enjoy
3 your lunches and I'll see you at 2:15.

4 (Jury exits.)

5 THE COURT: All right. The witness can step out.
6 We'll see you this afternoon.

7 Is there anything that we have to do before --
8 everybody can sit down -- before we break for lunch?

9 MR. CANNICK: Nothing from us, Your Honor.

10 THE COURT: Okay.

11 MS. GEDDES: No, Your Honor.

12 THE COURT: All right. Thank you so much. Have a
13 good lunch, everyone.

14 (Luncheon recess.)

15

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1 AFTERNOON SESSION

2 (In open court; outside the presence of the jury.)

3 THE COURT: I do want to put on the record you now
4 have binders that are just duplicates of exhibits that you've
5 already turned over but now they are organized by witness, I
6 assume, or just --

7 MS. GEDDES: No, they're organized in the same
8 fashion that we previously had provided to the defendants in
9 electronic form.

10 THE COURT: Okay.

11 MS. GEDDES: But they're --

12 THE COURT: They're all in nice binders?

13 MS. GEDDES: Yes.

14 THE COURT: Thank you so much.

15 Are we ready to get the witness?

16 MS. GEDDES: Yes.

17 (The witness, JANE, resumes the stand.)

18 THE COURT: And let's get the jury, please.

19 (Jury enters.)

20 THE COURT: All right. Ladies and gentlemen, I hope
21 your lunch was a good one. We are ready to continue with the
22 cross-examination of the witness.

23 MR. CANNICK: Thank you, Your Honor.

24 THE CLERK: The witness is reminded she's still
25 under oath.

Jane - cross - Cannick

1136

1 THE WITNESS: Yes.

2 CROSS-EXAMINATION (Continued)

3 BY MR. CANNICK:

4 Q You testified and told us earlier that there were some of
5 the live-in girlfriends of Mr. Kelly that left the
6 relationship. Do you remember telling us about that?

7 A Yes.

8 Q Was someone by the name of Summer one of the --

9 THE CLERK: The jurors can't hear you.

10 Q Was someone by the name of Summer one of those
11 individuals?

12 A I don't know her.

13 Q Do you know someone by the name of Sara?

14 A Who?

15 Q Sara?

16 A Sara?

17 Q Yes.

18 A No.

19 Q Do you know someone by the name of, I don't want to call
20 names. You mentioned someone by the name of Nicq?

21 A Yes.

22 Q She left the relationship at some point?

23 A Yes.

24 Q Didn't she come and go?

25 A No.

Jane - cross - Cannick

1137

1 Q You left the relationship a couple of times as well, am I
2 correct?

3 A Yes.

4 Q And when you left the relationship, you went down to
5 Florida, am I correct?

6 A Once.

7 Q And you were with your family, am I correct?

8 A Yes.

9 Q Do you remember when that was?

10 A I don't.

11 Q And in the relationship, you had, provided by Mr. Kelly,
12 shopping sprees?

13 A Yes.

14 Q Visits to the spas?

15 A Yes.

16 Q Nail salons?

17 A Yes.

18 Q Uber account?

19 A Yes.

20 Q Lyft account?

21 A Yes.

22 Q Telephone?

23 A Yes.

24 Q IPad?

25 A Yes.

Jane - cross - Cannick

1138

1 Q And then, of course, you had the services of the
2 assistants who Mr. Kelly engaged to provide services to you
3 and the other guests, his girlfriends?

4 A Yes.

5 Q And those people, their responsibility was to make sure
6 that you were serviced in terms of getting the things that you
7 requested of them, am I correct?

8 A Yes.

9 Q And sometimes that would include providing transportation
10 service as well, am I correct?

11 A Yes.

12 Q Now, I asked you earlier this morning that during your
13 interview with the government, whether or not you told the
14 government that your mother told you to take as many pictures
15 as you possibly could of you and Mr. Kelly together and to
16 include the crazy face ones kissing because she felt, you felt
17 that your mother wanted to exploit Mr. Kelly to the media and
18 take advantage of his finances.

19 MS. GEDDES: Objection as to form.

20 THE COURT: Yes, as to form.

21 Why don't you break it down?

22 Q Isn't it a fact that you told the government during one
23 of your sessions with them that your mother told you to take
24 as many pictures of you and Mr. Kelly together?

25 A Yes.

Jane - cross - Cannick

1139

1 Q And isn't it also a fact that you told the government
2 that she said to you, requested of you to include the crazy
3 face ones kissing, isn't that a fact?

4 A I don't recall that, no.

5 Q Well, I'm going to show you this document and see if it
6 refreshes your recollection.

7 MS. GEDDES: What number?

8 MR. CANNICK: Four, page 6.

9 Q Directing your attention to the highlighted portion at
10 the bottom.

11 (Pause.)

12 A Okay.

13 Q Have you reviewed it?

14 A Yes.

15 Q Did it refresh your recollection --

16 A It does.

17 Q -- that your mother wanted you to take these pictures, as
18 many of them as possible, including the ones that you were
19 kissing?

20 A Yes, I still don't --

21 Q I didn't ask you what you think. I asked you does it --

22 A I still don't recall it.

23 Q You don't recall it?

24 A Yeah, no.

25 Q But you were at the meeting with the government, correct?

Jane - cross - Cannick

1140

1 A I was, yes.

2 Q And you testified earlier they took notes, am I correct?

3 A Yes.

4 Q You saw them writing, am I correct?

5 A Yes, I did.

6 Q And now, I asked you earlier whether you met with the
7 government in preparation of giving testimony to the jury, do
8 you remember me asking you that?

9 A Yes.

10 Q And you told me that you did a number of times. Am I
11 correct?

12 A Yes, sir.

13 Q During that prep session, did the government and you go
14 over questions that you were likely to be asked on
15 cross-examination?

16 A We did, yes.

17 Q You did? So the government prepped you for questions
18 that they thought you were going to be asked in
19 cross-examination, am I correct?

20 A Yes.

21 Q And this was one of the questions, am I correct?

22 A Yes.

23 Q And the government showed you this document, am I
24 correct?

25 A No, I never saw any documents.

Jane - cross - Cannick

1141

1 Q But this is one of the questions?

2 A Yes.

3 Q Now, at that meeting, didn't you tell the government that
4 you felt that your mother wanted this to be done so that she
5 could exploit Mr. Kelly to the media?

6 A I don't recall that.

7 Q That's in the document you just read, am I correct?

8 A It is, yes.

9 Q And she wanted to exploit him because, according to you,
10 because you were only 17?

11 A That's what's said in the document, yes.

12 Q And, basically, you were the only person in that room
13 giving information to the government, correct?

14 MS. GEDDES: Objection.

15 THE COURT: Sustained.

16 Q On the date that you were there being briefed by the
17 government, the dates, you were the only person giving the
18 government information about this incident, am I correct?

19 MS. GEDDES: Objection.

20 THE COURT: Overruled.

21 There was no other witness in there with you, was
22 there?

23 THE WITNESS: No.

24 Q So they were getting the information from you?

25 A Correct.

Jane - cross - Cannick

1142

1 Q And now you testified earlier this morning and you told
2 us that when you were at those meetings, you saw documents, am
3 I correct?

4 A Yes.

5 Q And you're telling us now that this is not one of the
6 documents you saw?

7 A I never saw any notes that were taken.

8 Q No, not notes.

9 A I've never seen any documents like that before.

10 Q Now, I want to go back. I asked you earlier this morning
11 about your dress when you went to the Dolphin to the audition
12 by Mr. Kelly and you told us that you wore skinny jeans and
13 the mesh blouse or crop top.

14 A Yes.

15 Q And I asked you isn't it a fact that you were just
16 coming, going there from your weightlifting class and you were
17 sweaty?

18 A That is not true.

19 Q Okay. Now, again, you were debriefed by the government,
20 am I correct?

21 A I was, yes.

22 Q And you were the only person giving the government
23 information at the time you were in the room about your
24 visiting with Mr. Kelly to audition at the Dolphin, am I
25 correct?

Jane - cross - Cannick

1143

1 A Correct.

2 Q Isn't it a fact that you told Mr. Kelly that -- that you
3 told the government, sorry, that the date you first met with
4 Mr. Kelly at the Dolphin, it was after school; that's what you
5 told them, right?

6 A It was, yes.

7 Q And you went on to tell them that you had been, you had
8 been weightlifting and was sweaty?

9 A That was not accurate.

10 Q You didn't tell them that?

11 A What, what are you asking me? Can you rephrase it?

12 Q Didn't you tell the government that on the date that you
13 went to visit Mr. Kelly at the Dolphin hotel, you had been
14 weightlifting at school and you were sweaty?

15 A I don't recall.

16 Q Directing your attention to the bottom portion, the
17 highlighted portion, see if that refreshes your recollection.

18 (Pause.)

19 A Yeah, I'm sorry, I don't recall.

20 Q So let me ask you when you were there and being
21 debriefed, was anyone at this table taking notes from you,
22 taking the notes?

23 A I don't remember.

24 Q But they were all in the room, right?

25 A Yes.

Jane - cross - Cannick

1144

1 Q Okay. Now, you testified before the grand jury in this
2 case, am I correct?

3 A Pardon?

4 Q You testified before the grand jury in connection with
5 this case, am I correct?

6 A Correct.

7 Q And you were sworn then, am I correct?

8 A I was, yes.

9 Q You were sworn to tell the truth just like you were here,
10 you were sworn when you came here, am I correct?

11 A Correct, yes.

12 Q Do you remember telling the grand jury: He continuously
13 asked me over and over again to be intimate with him, I told
14 him that I just left school and I had gotten out of
15 weightlifting practice?

16 A I do recall saying that, yes.

17 Q So in the grand jury, you swore that you had just gotten
18 out of weightlifting class, am I correct? Yes or no. Am I
19 correct?

20 MS. GEDDES: Objection.

21 THE COURT: The objection is sustained. Go ahead
22 but that objection is sustained.

23 Do you want to talk at the sidebar?

24 MR. CANNICK: Yes. Yes.

25 (Continued on next page.)

Sidebar

1145

1 (The following occurred at sidebar.)

2 THE COURT: I don't think there's an inconsistency.
3 I think the testimony on direct was that's what she told the
4 defendant. I don't think she said that that's what actually
5 happened. That's my recollection.

6 MR. CANNICK: You're probably right, Your Honor.

7 THE COURT: Well, it's a rare occasion. So I don't,
8 I think that's the confusion and why the witness might be,
9 but --

10 MR. CANNICK: Okay. Okay.

11 MS. GEDDES: That's my recollection.

12 THE COURT: Is that correct?

13 MS. GEDDES: Yes, Your Honor.

14 MR. CANNICK: I stand corrected.

15 THE COURT: Well, I just, I was explaining why I was
16 sustaining the objection.

17 MR. CANNICK: Sure, and I appreciate it.

18 THE COURT: I'm sure you do.

19 (End of sidebar.)

20 (Continued on next page.)

21

22

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24

25

Jane - cross - Cannick

1146

1 BY MR. CANNICK:

2 Q Now, you testified yesterday and told the jury that
3 although you had sexual encounters with Mr. Kelly, the first
4 time there was actual intercourse was at a trip in Stockton?

5 A Yes.

6 Q Now, when you met with the government to discuss this
7 case, that was back in 2019. Am I correct?

8 A Yes.

9 Q And that was closer in time to the --

10 A Sorry. What year did you say?

11 Q 2019 when you first met with the government.

12 A No, I believe -- no, I don't think.

13 Q Was it in January of 2020?

14 A Yes.

15 Q So that was closer in time to the allegation than today,
16 am I correct?

17 A Can you rephrase that?

18 Q When you first spoke with the government about this
19 supposed intercourse, that was in 2020?

20 A Yes.

21 Q And the incident according to you occurred in 2015?

22 A Correct.

23 Q Okay. And today, we're in actually 2021, right?

24 A Correct.

25 Q Now, when you spoke with the government, didn't you tell

Jane - cross - Cannick

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1 them that the first time you had intercourse or penetration,
2 it was in Los Angeles?

3 A I don't recall.

4 (Continued on next page.)

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JANE - CROSS - MR. CANNICK

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1 CROSS-EXAMINATION (Continued)

2 BY MR. CANNICK:

3 Q Well, let's refresh your recollection.

4 (Counsel approaches the witness.)

5 Q You've reviewed it?

6 A Yes, I did.

7 Q Isn't it a fact that the first time you had, according to
8 you from what you told the government, that you told the
9 government the first time you had actual intercourse with
10 Mr. Kelly it was in Los Angeles?

11 A The location is not accurate.

12 Q My question to you, ma'am, isn't it a fact that you told
13 the government that the first time that you had sexual
14 intercourse with Mr. Kelly was in Las Vegas?

15 A No, I did not say Las Vegas.

16 Q Okay. And, again, if the government -- they were these
17 same people in the room; am I correct?

18 A Correct.

19 Q And they were taking notes; am I correct?

20 A Yes, sir.

21 Q What's what in the document; am I correct?

22 A Yes, sir.

23 THE COURT: I'm sorry, is it Las Vegas or Los
24 Angeles?

25 MR. CANNICK: Los Angeles.

JANE - CROSS - MR. CANNICK

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1 THE COURT: Okay.

2 Q Now before coming in here and giving testimony to this
3 jury, you and the government went over where this first time
4 occasion of having intercourse with Mr. Kelly occurred; am I
5 correct?

6 A Correct.

7 Q You discussed that and went over Stockton versus Los
8 Angeles; am I correct?

9 A That is correct.

10 Q Because somewhere someone realized that it didn't add up;
11 am I correct?

12 A No.

13 MS. GEDDES: Objection.

14 THE COURT: I'm just going to sustain the
15 objection to the last thing last about adding up.

16 MR. CANNICK: Okay.

17 Q Isn't it a fact that Mr. Kelly was not in Los Angeles
18 until October of 2015?

19 A I don't recall.

20 Q Let's see if this refreshes you.

21 (Counsel approaches the witness.)

22 Q I'm going to ask you to -- direct your attention to these
23 three pages that I'm handing to you and see if at that
24 refreshes your recollection?

25 MS. GEDDES: What are you showing her?

JANE - CROSS - MR. CANNICK

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1 MR. CANNICK: His concert calendar.

2 MS. GEDDES: May I see it?

3 MR. CANNICK: I gave it to you.

4 MS. GEDDES: I don't have it.

5 (Pause in the proceedings.)

6 MS. GEDDES: Your Honor, may we have a brief
7 sidebar?

8 THE COURT: No.

9 It is true that you can use anything to refresh
10 recollection, but just show the government what you're...

11 MR. CANNICK: I did.

12 THE COURT: Okay.

13 (Counsel approaches the witness.)

14 BY MR. CANNICK:

15 Q Again, looking at these three pages, see if it refreshes
16 your recollection as to when Mr. Kelly first appeared in Los
17 Angeles in 2015.

18 A Okay.

19 Q You've read it?

20 A Yes.

21 Q Does it refresh your recollection as to when that --
22 withdrawn.

23 Does it refresh your recollection that the first
24 time Mr. Kelly appeared in Los Angeles in 2015 was in the
25 month of October?

JANE - CROSS - MR. CANNICK

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1 A Yes, that is true.

2 Q Now yesterday and today you told us about the police
3 coming to the door when you and Mr. Kelly were in the Dolphin
4 Hotel, and you told us about the fact that you were on top of
5 him and according to you he was licking your butt.

6 And do you recall telling the government, in one of
7 those sessions, that when you met Mr. Kelly -- when you met up
8 with Mr. Kelly at the Dolphin Hotel in Florida in his room, he
9 masturbated in front of you while you were singing?

10 A I don't recall that.

11 Q See if this refreshes your recollection.

12 A Which part?

13 Q Right there (indicating).

14 Having read that, does that refresh your
15 recollection that you told the government that Mr. Kelly
16 masturbated while you were singing?

17 A It is not.

18 Q It does not?

19 But you -- it's in the document; am I correct?

20 A Correct.

21 Q And you saw them talking notes; am I correct?

22 A Correct.

23 Q You were the only person telling them about this
24 incident; am I correct?

25 A Correct.

JANE - CROSS - MR. CANNICK

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1 Q Now, you testified and told the jury earlier that
2 Mr. Kelly did absolutely zero to help you further your musical
3 career.

4 Do you remember telling us that?

5 A Correct.

6 Q Now when you met with the government, you told them that
7 there was a time that Kelly would provide you 35 minutes to an
8 hour of music-related interests.

9 Do you remember telling them that?

10 A I did, yes.

11 Q And then you went on to tell the government that
12 practicing was hard for you, practicing music was hard for
13 you?

14 A I don't recall saying that.

15 (Counsel approaches the witness.)

16 Q You looked over it?

17 A Yes.

18 Q Does it refresh your recollection that you told the
19 government that practicing music was hard for you?

20 A No, I don't recall.

21 Q Okay. But it's in the document; am I correct?

22 A Correct.

23 MS. GEDDES: Objection.

24 THE COURT: Overruled.

25 Q Now, do you recall telling the government further that

JANE - CROSS - MR. CANNICK

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1 Kelly told you that you were not pulling your weight as far as
2 your music career is concerned?

3 A I don't recall that.

4 (Counsel approaches the witness.)

5 Q Bottom portion right there (indicating).

6 You read it?

7 A Yes, sir.

8 Q Does it refresh your recollection that you told the
9 government that Kelly told you that you weren't pulling your
10 weight as far as your music career was concerned?

11 A I don't recall that.

12 Q But it's in the document, right?

13 A Yes, it is.

14 Q Now, you testified and told us earlier before lunch that
15 Kelly did not celebrate holidays.

16 Do you remember telling us that?

17 A I said the holidays were celebrated delayed.

18 Q Well, yesterday when you testified, you told us that he
19 did not celebrate holidays.

20 Do you remember telling us that?

21 MS. GEDDES: Objection.

22 THE COURT: Overruled.

23 Did you say that yesterday?

24 THE WITNESS: I recall saying that they were
25 delayed.

JANE - CROSS - MR. CANNICK

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1 BY MR. CANNICK:

2 Q You do recall being asked this question and giving this
3 answer. Page 935.

4 "QUESTION: What, if anything, do you recall
5 happening on December 28th of 2015?

6 "ANSWER: Me and the defendant had gotten into an
7 argument.

8 "QUESTION: And do you recall the nature of the
9 argument?

10 "ANSWER: Yes, I do.

11 "QUESTION: What was it about?

12 "ANSWER: He had expressed to me that he didn't
13 celebrate holidays because he no longer had his family."

14 Were you asked those questions and give that answer?

15 A Yes, correct.

16 Q Okay. Now, in that answer you didn't say it was delayed;
17 am I correct?

18 A In that answer I said "he".

19 Q And when you say "he," you were talking about Mr. Kelly;
20 am I correct?

21 A Yes.

22 Q And you told the jury that Mr. Kelly no longer celebrated
23 holidays, correct?

24 A That's exactly what he told me.

25 Q My question to you: Is that not what you told the jury?

JANE - CROSS - MR. CANNICK

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1 A Can you rephrase it?

2 Q Isn't it a fact that you told the jury yesterday that he
3 expressed to me that he didn't celebrate holidays because he
4 no longer had his family?

5 A That he expressed to me, yes.

6 Q And he -- you told the jury this under oath yesterday,
7 right?

8 A Yes.

9 Q Now Mr. Kelly celebrated family -- celebrated Father's
10 Day?

11 MS. GEDDES: Objection.

12 THE COURT: Overruled.

13 A Yes.

14 Q He celebrated Thanksgiving?

15 A Yes.

16 Q 4th of July?

17 A Yes.

18 Q New Years?

19 A Not that I can recall.

20 Q Christmas?

21 A Yes.

22 Q Christmas -- huge Christmas tree every year, right?

23 A Yes.

24 Q Okay. In fact, 40 feet?

25 A Not every year.

JANE - CROSS - MR. CANNICK

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1 Q Not every year.

2 You've seen it, right?

3 A Yes.

4 Q And he gave out substantial gifts?

5 A Correct.

6 Q And some of -- some of the girlfriends went home for
7 Christmas; am I correct?

8 A I never recall that.

9 Q The picture that I showed you earlier today, didn't that
10 person go home one Christmas?

11 A I don't recall that.

12 Q Now Mr. Kelly would videotape Christmas holidays and
13 celebrations; am I correct?

14 A Yes.

15 Q In fact, he would videotape almost everything; am I
16 correct?

17 A He would, yes.

18 Q Trips to the beach?

19 A Yes.

20 Q Playing around the house?

21 A Yes.

22 Q He would just use his iPad or camera to videotape most
23 things; am I correct?

24 A Can you rephrase that?

25 Q He would use his camera or iPad to video on a daily basis

JANE - CROSS - MR. CANNICK

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1 nonsexual events?

2 A That is not true.

3 Q At the times that you guys would hang out, he would
4 videotape; am I correct?

5 A Correct, yes.

6 Q How often would you hang out?

7 A I would be with the defendant every day.

8 Q No, my question, I said "hang out."

9 Are you going out or are you around the house?

10 A Around the house.

11 Q And he would videotape you around the house; am I
12 correct?

13 A Correct.

14 Q And he videotaped everyone around the house; am I
15 correct?

16 A Correct.

17 Q Now, you testified and told us yesterday that when you'd
18 go to the gym to watch Mr. Kelly play basketball, you could
19 not watch any other man.

20 Do you remember telling us that?

21 A Yes.

22 Q How could you watch him without watching other men?

23 A I do not know, sir.

24 Q But you said you did it, right?

25 A I did, yes.

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1 Q But you don't know how you did it?

2 A I actually stopped going to basketball.

3 Q No, not that's not my question. My question is: Do you
4 know how you did it?

5 You said you did, and I'm just asking how did you do
6 it?

7 A I would usually look by his shoes, and then when I would
8 find his shoes, I would look at him.

9 Q What kind of shoes was he wearing?

10 A He would usually -- we would pack his basketball bags, so
11 we would usually know.

12 Q Beg your pardon?

13 A We would pack his basketball bags, so we would usually
14 know what he was wearing.

15 Q What kind of shoes was he wearing?

16 A Workout shoes.

17 Q Nikes?

18 A Yeah.

19 Q Air Force 1s?

20 A No.

21 Q Not Air Force 1s. Okay.

22 And his shoes were different from every other person
23 on the court?

24 A Correct.

25 Q What color was his shoes?

JANE - CROSS - MR. CANNICK

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1 A What night are you referring to?

2 Q Any night.

3 A I mean his bags were packed every single day, so... Any
4 night it could have been a different pair of shoes. He had
5 over thousands.

6 Q Okay. So the colors that he would generally wear would
7 be white and black?

8 MS. GEDDES: Objection.

9 THE COURT: I don't understand the relevance of it.

10 MR. CANNICK: They brought this up on direct
11 yesterday, so I'm just trying to explore her ability to see
12 the defendant, my client, without --

13 THE COURT: Looking at other people?

14 MR. CANNICK: Yes. And looking at other people.

15 THE COURT: All right.

16 Are we talking about just at basketball games?

17 MR. CANNICK: That's what they asked.

18 THE COURT: I'm just am asking you.

19 MR. CANNICK: Yes, just at basketball games.

20 THE COURT: Did you look at other men at basketball
21 games?

22 THE WITNESS: I did, yes.

23 BY MR. CANNICK:

24 Q Now you testified earlier and told us that at this
25 encounter at the Dolphin, Mr. Kelly recorded you?

JANE - CROSS - MR. CANNICK

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1 A I never said that, no.

2 Q You said he took out a camera.

3 A At the Dolphin Hotel?

4 Q Yes.

5 A I said he took out an iPad.

6 Q Did he record you?

7 A I said I never saw what was -- what he did with the iPad.

8 Q So you don't know if he recorded you or not?

9 A I don't.

10 Q When you spoke with the government one time, you told the
11 government that he recorded you every time except at the
12 Dolphin.

13 Do you remember telling them that?

14 A I don't.

15 (Counsel approaches the witness.)

16 Q Directing your attention to the bottom portion.

17 Isn't it a fact that when you met with the
18 government, you told the government that Mr. Kelly recorded
19 you every time except at the Dolphin?

20 A I don't recall that.

21 Q But it's in the document?

22 A Yes, it is.

23 Q And in the grand jury, you told the grand jury that he
24 recorded you every time you had sex with him.

25 Do you remember telling the grand jury that?

JANE - CROSS - MR. CANNICK

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1 A I don't recall, I'm sorry.

2 MR. CANNICK: Page 26.

3 (Counsel approaches the witness.)

4 MR. CANNICK: I'm going to withdraw that question.

5 THE COURT: Okay.

6 BY MR. CANNICK:

7 Q Now, going back to the year Mr. Kelly told you he would
8 help you with your music, isn't it a fact that when you were
9 interviewed by the government regarding this issue, you told
10 the government that Mr. Kelly told you that you were lazy and
11 needed to concentrate on your music more?

12 A I don't recall that.

13 (Counsel approaches the witness.)

14 Q You read it?

15 A Yes, sir.

16 Q Isn't it a fact that when you were debriefed by the
17 government, you told them Mr. Kelly said you were lazy and you
18 needed to concentrate on your music more?

19 A No, that's not accurate.

20 Q But that's in the document, right?

21 A Yes, sir.

22 Q And you were the person imparting the information to the
23 government, correct?

24 A Yes, sir.

25 Q Now the government asked you about calling Mr. Kelly

JANE - CROSS - MR. CANNICK

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1 "daddy".

2 Do you remember telling them that?

3 A Yes, sir.

4 Q Now, you said that Mr. Kelly asked you to call him
5 "daddy" the first time you met; am I correct?

6 A I don't recall saying the first time we met.

7 Q When was it that he first asked you to call him daddy?

8 A I don't recall, but it was immediately.

9 Q What's -- immediate is not the first time?

10 A No, not the first time.

11 Q Second time?

12 A Yeah, I don't recall when, but I do know that it was
13 immediate. I'm sorry.

14 Q So you called him other names as well; am I correct?

15 A Not after, no. After he expressed that name, no.

16 Q Well, didn't you call him "bear"?

17 A Years later, yes.

18 Q In fact, you would write him, up until 2019, calling him
19 "bear"; am I correct?

20 A That is not true.

21 Q Didn't you call him -- didn't you also call him "poppa
22 bear"?

23 A Yes, I did.

24 Q And you called him that up until 2019; am I correct?

25 A Not from 2015, if that's what you're asking.

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1 Q No, what I'm asking you is what I just asked?

2 MS. GEDDES: Objection.

3 THE COURT: Overruled.

4 Q Didn't you call him "poppa bear" up until 2019?

5 A I did, yes.

6 Q And he called you "momma bear"; am I correct?

7 A That is true.

8 Q And he had nicknames for the other girlfriends as well;
9 am I correct?

10 A I never heard them.

11 Q Well, isn't it a fact that you told the government that
12 he would call the other girls "cookie"?

13 A I never said that.

14 Q Never said it?

15 A Never.

16 (Counsel approaches the witness.)

17 Q Asking you to direct your attention to the last three
18 lines.

19 Isn't it a fact that when you met with the
20 government, you told the government that Mr. Kelly would call
21 the other girlfriends "cookie"?

22 A That is not accurate.

23 Q It's in the document, right?

24 A Correct.

25 Q And you're saying the government made all these errors;

JANE - CROSS - MR. CANNICK

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1 am I correct?

2 MS. GEDDES: Objection.

3 THE COURT: Overruled.

4 A I just said that is not accurate.

5 Q If you didn't say it and it's in the document, then the
6 government must have made a mistake, correct?

7 A Correct.

8 Q It's multiple mistakes, as far as you're concerned,
9 correct?

10 MS. GEDDES: Objection.

11 THE COURT: Sustained.

12 Q Now, you testified and told the jury that there came a
13 point in time that you learned that you had herpes.

14 Do you remember telling the government that?

15 A Correct.

16 Q And you told the government that it was my client who
17 gave you the herpes; am I correct?

18 A That is correct.

19 Q Okay. Now, during the course of time that you stayed
20 that you were with Mr. Kelly, family members came to visit
21 you; am I correct?

22 A That is true.

23 Q And how often would they come visit you?

24 A Seldom.

25 Q And they would have their cameras with them, their

JANE - CROSS - MR. CANNICK

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1 phones; am I correct?

2 A Not that I can recall.

3 Q Well, wasn't there a time that your sister was at the
4 studio taking videos and pictures?

5 A Yes.

6 Q And how long was she there?

7 A I believe she was in Chicago for less than 72 hours.

8 Q Now you testified yesterday and told us that there were
9 some photographs that you took of my client or took them --
10 taken by both of you or him, but these photographs were at a
11 cover shoot, I think you had said.

12 A Correct, yes.

13 Q And these are photographs basically of Mr. Kelly dressed
14 in certain wardrobes preparing for a cover?

15 A Correct, yes.

16 Q And you testified and told us that you sent those to your
17 girlfriend just in case; am I correct?

18 A Correct.

19 Q Just in case of what?

20 A Just in case the defendant had broken my phone or
21 anything.

22 Q Now the ones that you -- you testified and told us
23 earlier that you got a chastisement, and in that chastisement
24 you sustained a beating from my client; am I correct?

25 A Which chastising are you referring to?

JANE - CROSS - MR. CANNICK

1166

1 Q There was one where you supposedly sustained broken skin?

2 Do you remember telling us about that?

3 A Correct, yes.

4 Q Okay. And you testified and told us about one where you
5 were beaten with a closed hand?

6 A Those were not chastisings.

7 Q Those were what?

8 A Those were physical abuse.

9 Q Physical abuse, all right.

10 And that physical abuse, you sustained a beating; am
11 I correct?

12 A Correct.

13 Q And you were beaten about the face?

14 A He would slap me in my face.

15 Q You were beaten about the face?

16 A Yes.

17 Q You were beaten about the body?

18 A Yes.

19 Q You were beaten all over; am I correct?

20 A Yes, sir.

21 Q You had the camera; am I correct?

22 A Not that I can recall.

23 Q You had her camera on your phone?

24 A Yes, sir.

25 Q Did you take any pictures of those and send them, of your

JANE - CROSS - MR. CANNICK

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1 beatings, of the injuries, and send them to any family member?

2 A I actually did take pictures of bruises, yes.

3 Q My question to you is: Did you take them and send them
4 to a family member, just in case?

5 A No, sir.

6 Q Did you send them to this very same friend, just in case?

7 A Not that I can recall.

8 Q So the picture that you sent, was a picture of Mr. Kelly
9 narrowly attired for a cover sheet, and you sent that to a
10 friend just in case?

11 A Correct.

12 Q Now Mr. Kelly put you on a pedestal; did he not?

13 A No, he did not.

14 Q Well, isn't it a fact that you told government during one
15 of those interviews that Mr. Kelly put you on a pedestal?

16 A I do not recall.

17 (Counsel approaches the witness.)

18 Q Look at the highlighted portion of this and see if that
19 refreshes your recollection.

20 You've read it?

21 A I do.

22 Q Does that refresh your recollection that you told the
23 government that Mr. Kelly put you on a pedestal?

24 A It does.

25 Q He put you on a pedestal; am I correct?

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1 A No, he did not.

2 Q That's in the document; am I correct?

3 A That is true, yes.

4 Q That's what you told the government; am I correct?

5 A That is what is in the document.

6 Q But you were the only one conveying the information to
7 the government; am I correct?

8 A Correct.

9 Q Now you testified and told us earlier about a situation
10 where you drove from a show in Key West you said?

11 A Yes.

12 Q Up to Daytona?

13 Up to Jacksonville?

14 A Yes.

15 Q How long -- how did you get there?

16 A By car.

17 Q How long was the drive, would you say?

18 A I don't recall, but I do know it was a few hours.

19 Q A few hours?

20 A Yes.

21 Q Now, what was the name of the venue that he performed?

22 A It was an outside event and it was for a breast cancer
23 awareness event.

24 Q But it wasn't in the street, it had a name?

25 A I don't recall the name of the show.

JANE - CROSS - MR. CANNICK

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1 Q And who else was on the show?

2 A I believe there were other people that had different
3 times.

4 Q And what was your time?

5 A I believe my time was around 8:30, 8.

6 Q 8:30, 8?

7 A Yes.

8 Q How long did you perform?

9 A I didn't perform long because the show had actually ended
10 early.

11 Q Were you still performing at 9:00?

12 A I don't remember.

13 Q But you know you got on at 8:30?

14 A Yes, around 8 p.m.

15 Q Do you remember -- well, was it 8 or 8:30?

16 A I said 8 or 8:30, yes.

17 Q 8 or 8:30? Which one was it?

18 MS. GEDDES: Objection.

19 THE COURT: Do you remember what time?

20 THE WITNESS: I don't remember.

21 Q And do you remember how many songs you did?

22 A I believe I did about two to three songs.

23 Q Okay. And then did you stay around after that?

24 A No, it ended early.

25 Q Are you aware that the trip by car from Jacksonville to

JANE - CROSS - MR. CANNICK

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1 Key West is about eight hours?

2 A No, I'm not aware of that.

3 Q You said it took you guys a couple of hours to get there.

4 A Yes, I could have the location wrong. I apologize.

5 Q Now during your time from July to the end of August, how
6 many times did your parents visit you at Mr. Kelly's?

7 THE COURT: What year?

8 Q 2015.

9 A Between July and August?

10 Q July and the end of August, how many times did your
11 parents visit you at Mr. Kelly's?

12 A I believe once.

13 Q And from the end of August until the end of 2015, how
14 many times?

15 A I don't know.

16 Q Now would it be fair to say that you were in constant
17 communications with your family from the time that you moved
18 to Mr. Kelly's until the end of 2015?

19 A Yes.

20 Q And you had video contacts with them?

21 Facebook contacts, I'm sorry.

22 A Facebook?

23 Q Yes.

24 A No.

25 Q Text?

JANE - CROSS - MR. CANNICK

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1 A Text, yes.

2 Q Phone calls?

3 A Yes.

4 Q And then you'd have visits by your sister from time to
5 time?

6 A My sister visited once.

7 Q Once? Okay.

8 And there came a point in time that the contact was
9 not as regular; am I correct?

10 A Correct.

11 (Continued on the following page.)

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Jane - cross - Cannick

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1 EXAMINATION CONTINUES

2 BY MR. CANNICK:

3 Q And you made that decision to cut back the contact, am I
4 correct?

5 A No, I did not make that decision.

6 Q Do you recall speaking on a YouTube chat where you and
7 your father spoke about it and you said it was your decision
8 not to make contact as frequently?

9 A I do not recall that.

10 Q Do you recall making a video, a YouTube video, with your
11 father about communicating during the time you were with
12 Mr. Kelly?

13 A A YouTube video, no, I do not.

14 Q Or any type of social media forum where you and your
15 father spoke about the contacts between you and the family
16 when you were with Mr. Kelly?

17 A I do not recall that.

18 MR. CANNICK: Your Honor, may we approach?

19 THE COURT: Sure.

20 (Sidebar held outside the hearing of the jury.)

22 (Continued on the following page.)

23

24

25

Sidebar

1173

1 (The following sidebar took place outside the
2 hearing of the jury.)

3 MR. CANNICK: I just want to give the Government an
4 opportunity to see the video that we are about to show. I'm
5 sure they've seen it.

6 MS. GEDDES: It's a documentary, correct? I think
7 that's part of the confusion, for what it's worth.

8 MR. CANNICK: Yes, well, I don't know. I just saw
9 it and we just took it. But it's one with her and her dad
10 talking about --

11 MS. GEDDES: Yes.

12 MR. CANNICK: They're familiar with it.

13 Do you need a copy of it?

14 MS. GEDDES: No, I know what it is, but my only
15 issue is I would like the witness to hear it herself and not
16 play it for the entire jury because it may refresh her
17 recollection, which I suspect it will.

18 THE COURT: That is probably the way to do it.

19 May I make a suggestion about this?

20 MR. CANNICK: Sure.

21 THE COURT: Maybe we want to come back to it and
22 then at the break you can play it for her?

23 MR. CANNICK: Okay.

24 THE COURT: And then I don't want to break -- I mean
25 we can take the break now if you want, but then --

Sidebar

1174

1 MR. CANNICK: Yea, maybe we took it now.

2 THE COURT: Well, the only thing is that I worry
3 about then is jurors, then they have two whole hours.

4 MR. CANNICK: What time is it now?

5 THE COURT: It's 3:15.

6 MR. CANNICK: Okay, well, then I am going to go over
7 some letters with her now.

8 MS. GEDDES: Okay.

9 THE COURT: I don't want to knock you off your --

10 MR. CANNICK: I wanted to end a certain way, but,
11 you know, I'm always deference -- I always defer to the Court.

12 THE COURT: Well, I think really it's in everybody's
13 interest not to have jurors sitting for two straight hours,
14 that's the only reason.

15 MR. CANNICK: Okay.

16 THE COURT: As riveting...

17 MR. CANNICK: Don't poke fun, Judge.

18 THE COURT: I'm not poking fun.

19 (Sidebar concluded.)

20

21 (Continued on the following page.)

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Jane - cross - Cannick

1175

1 (In open court - jury present.)

2 MR. CANNICK: Your Honor, based on our sidebar, I
3 will come back to that.

4 THE COURT: Okay.

5 EXAMINATION CONTINUES

6 BY MR. CANNICK:

7 Q There was a time, going back to the trip to Jacksonville,
8 when you got to Jacksonville, you and your mother --
9 withdrawn.

10 You and your mother had traveled up to Jacksonville
11 together by car, am I correct?

12 A Correct.

13 Q And you got there early morning hours?

14 A It was after his show had ended, yes.

15 Q And you wanted a bed, you needed a place to stay, am I
16 correct?

17 A Yes.

18 Q And you were offered two bedrooms by Mr. Kelly's
19 assistant, am I correct?

20 A Correct, yes.

21 Q And your mother said that she would go and stay
22 elsewhere, am I correct?

23 A That is not correct.

24 Q It's not correct, okay.

25 Where did your mother stay that night?

Jane - cross - Cannick

1176

1 A I believe she had taken his assistant's room, and his
2 assistant went to a different hotel.

3 Q Isn't it a fact that she refused the room?

4 A No, she did not. She had been driving and did, in fact,
5 want a room.

6 Q Isn't it a fact that you told the Government during your
7 interview with them that your mother refused the room and
8 wanted her own room?

9 A That is not accurate.

10 Q So, again, the Government made another mistake?

11 MS. GEDDES: Objection.

12 THE COURT: Sustained.

13 BY MR. CANNICK:

14 Q Showing you this document, and I direct your attention to
15 the second paragraph.

16 (Pause.)

17 A Sir.

18 Q Yes, just a second.

19 Isn't it a fact that your mother was offered a room,
20 but refused it?

21 A That's not accurate.

22 Q It's in the document, right?

23 A Yes, sir.

24 Q And, according to you, the document is wrong?

25 A Yes, sir.

Jane - cross - Cannick

1177

1 Q You wrote about that incident, am I correct?

2 A What are you referring to?

3 Q You made some notes about that incident, the trip up to
4 Jacksonville, am I correct, with your mom?

5 A What type of notes are you referring to?

6 MS. GEDDES: What are you showing? What is this?

7 (Pause.)

8 MR. CANNICK: Your Honor, I am going to ask that
9 this be marked Defense 0.

10 THE COURT: Okay.

11 BY MR. CANNICK:

12 Q I show you what's been marked Defense 0 for
13 identification. Do you recognize it?

14 A I do.

15 Q Your handwriting?

16 A This is.

17 Q You wrote it?

18 A Yes, I did.

19 MR. CANNICK: Your Honor, I am going to offer it
20 into evidence as Defense Exhibit 0.

21 THE COURT: Any objection?

22 MS. GEDDES: As long as you give the witness an
23 opportunity to explain it, no objection.

24 THE COURT: All right, well, she will explain it.

25 If Mr. Cannick doesn't give her the opportunity, I'm sure you

Jane - cross - Cannick

1178

1 will.

2 All right, that's in as Defense 0.

3 (Defense Exhibit 0 was received in evidence.)

4 BY MR. CANNICK:

5 Q I am going to show you another, P. I'm going to show you
6 what's been marked as Defense P for identification.

7 Let me know if you recognize it.

8 (Pause.)

9 Q Is this your handwriting?

10 A Yes, sir.

11 Q You wrote it?

12 A Yes, sir, I did.

13 MR. CANNICK: I'm offering it into evidence as
14 Defense Exhibit P.

15 MS. GEDDES: I've never seen it. One moment, Judge.

16 MR. CANNICK: Got it from you.

17 MS. GEDDES: Well, I have no idea what Defense P is.

18 (Pause.)

19 MS. GEDDES: Do you have the whole document?

20 MR. CANNICK: No.

21 MS. GEDDES: I object on that ground then.

22 MR. CANNICK: Then we'll put the whole document in.

23 Do we have the whole document?

24 MS. GEDDES: I don't think this is the whole
25 document.

Jane - cross - Cannick

1179

1 MR. CANNICK: That's how we got it.

2 MS. GEDDES: You may have gotten it that way.

3 Your Honor, may we have a brief sidebar on this or I
4 could do it orally?

5 THE COURT: Let's do it at the sidebar.

6 (Sidebar held outside the hearing of the jury.)

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8 (Continued on the following page.)

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Sidebar

1180

1 (The following sidebar took place outside the
2 hearing of the jury.)

3 MS. GEDDES: So, defense counsel has provided me
4 pages of certain letters. I don't care if they go into
5 evidence, but I want the entirety of the letter in evidence so
6 there's context to what this is, and this is not the entirety
7 of --

8 MR. CANNICK: We can do that.

9 THE COURT: Okay.

10 MR. CANNICK: We can do that.

11 MS. GEDDES: Okay.

12 MR. CANNICK: I won't put it in now.

13 MS. GEDDES: Okay.

14 MR. CANNICK: I'll get the entire document and come
15 back to it. I'll move on to another document.

16 THE COURT: You can take yes for an answer.

17 Do you have like a little teeny thing you can do
18 until 3:30, or do you want to break now?

19 MR. CANNICK: We can do this teeny thing until 3:30.

20 THE COURT: Okay.

21 (Sidebar concluded.)

22

23 (Continued on the following page.)

24

25

Jane - cross - Cannick

1181

1 (In open court - jury present.)

2 MR. CANNICK: Your Honor, I am going do show the
3 witness a two-page document as Defense for identification Q.

4 THE COURT: Q?

5 MR. CANNICK: Yes.

6 THE COURT: Okay.

7 EXAMINATION CONTINUES

8 BY MR. CANNICK:

9 Q Do you recognize the document?

10 A I do, yes.

11 Q It's a document you prepared?

12 A This is, yes.

13 MR. CANNICK: Your Honor, I am offering it as
14 Defense Exhibit Q.

15 THE COURT: Any objection?

16 MS. GEDDES: Yes, Your Honor.

17 THE COURT: You object?

18 MS. GEDDES: Yes.

19 THE COURT: Can I see it?

20 This is what we are going to do now, I think. Let's
21 take a break. It is time for your afternoon break anyway. I
22 have to discuss a few matters with the lawyers, so this one
23 might be 20 minutes, but please don't talk about the case and
24 I will see you after the break.

25 THE COURTRoom DEPUTY: All rise.

Jane - cross - Cannick

1182

1 (Jury exits.)

2 THE COURT: Everybody can have a seat, and the
3 witness can step down.

4 (Witness steps down and exits the courtroom.)

5 THE COURT: Can I see that document that you are
6 objecting to?

7 Oh, I forgot I sent the witness out, didn't I?

8 Well, let's first talk about this Defendant's Q.

9 This is a letter that was written when?

10 MS. GEDDES: While the defendant was incarcerated.

11 THE COURT: And it's a letter that the witness
12 wrote?

13 MS. GEDDES: Yes.

14 THE COURT: And what's the basis of your objection?

15 MS. GEDDES: The basis is that, number one, I'm not
16 sure why it's relevant, but if it does get admitted the
17 Government wants to inquire the circumstances under which she
18 wrote this letter. And the circumstances are that the
19 defendant had been incarcerated for a period of time and the
20 defendant had instructed the witness that she was only to
21 provide -- you know, talk about happy things and just stay
22 positive.

23 And it's not -- she's not going to be able to
24 explain that without also explaining the fact that he had been
25 incarcerated for a period of time.

Jane - cross - Cannick

1183

1 THE COURT: Well, I think that's all right with you,
2 isn't it, Mr. Cannick?

3 MR. CANNICK: No, it's not a problem.

4 THE COURT: Just turn on your microphone.

5 So with that proviso, it's admissible. I mean it is
6 admissible evidence.

7 MS. GEDDES: I'm also sure not sure how it's
8 relevant regardless.

9 THE COURT: Well, it's relevant to the witness'
10 description of their relationship and you can redirect on it,
11 but it does open the door that he is incarcerated.

12 MR. CANNICK: I think the world knows that, Your
13 Honor.

14 THE COURT: Well, I don't know what the world knows,
15 but I had taken steps to make sure that the jury didn't find
16 out about it, particularly during the course of jury selection
17 where we were very careful to make sure that that wasn't
18 apparent.

19 So, I am just saying it is not something that I take
20 lightly, but if it is something -- and I am not saying that
21 you do either, but if it is -- I don't even know why we're
22 having this conversation. Obviously, you know that it opens
23 the door and you're fine with it.

24 MR. CANNICK: Your Honor, the only thing I would
25 like to say --

Jane - cross - Cannick

1184

1 THE COURT: Yes.

2 MR. CANNICK: -- is that the Government could ask
3 the question of the witness the very same way they asked the
4 earlier question.

5 There came a point the time you and defendant,
6 they're going to call him the defendant, you and the defendant
7 were separated. During this time you and the defendant were
8 separated, right?

9 And at some point you guys spoke and he asked you to
10 only write letters that are complimentary, flowering and
11 glory.

12 You don't have to go there unless you want to go
13 there.

14 THE COURT: Well, I assume that goes for almost any
15 question that anybody asks, but there is certainly a
16 significant difference between somebody who is just like in
17 another town and somebody who is incarcerated.

18 But I don't really understand you to be making that
19 objection, so I think the circumstances under which these
20 letters are written, if you are introducing them, the
21 circumstances of them are relevant. And one of the
22 circumstances -- and I take it this is at a point where she is
23 still connected to him and so she still cares about him. I
24 think that is relevant.

25 So, I will permit you to introduce it and I will

Jane - cross - Cannick

1185

1 permit the Government to ask the witness questions about it on
2 redirect examination.

3 MS. GEDDES: Your Honor, could you instruct, or
4 could I, but fine if Your Honor does it, but instruct the
5 witness on redirect she is permitted to reference the fact
6 that the defendant is in jail because I had instructed her
7 previously not to mention that.

8 THE COURT: Well, I don't think Mr. Cannick will
9 object if I have you tell her that. I prefer to have the
10 parties --

11 MS. GEDDES: Okay.

12 THE COURT: -- talk to their own witnesses.

13 You don't have a problem with that, do you?

14 MR. CANNICK: Well, I think there's a way to get
15 around this without mentioning the jail factor.

16 THE COURT: Oh, we're back to that now; okay.

17 MR. CANNICK: Yes, because I mean the Government did
18 it before without mentioning the fact that he's in jail.

19 I think that the very same approach works here as
20 well.

21 THE COURT: I don't understand.

22 So, the relevance of this, as I understand it, you
23 are putting it in to show that she is expressing affection for
24 him and concern, correct so far?

25 MR. CANNICK: Right.

Jane - cross - Cannick

1186

1 THE COURT: The Government responds that he
2 instructed her to write letters this way --

3 MS. GEDDES: And --

4 MR. CANNICK: But why --

5 THE COURT: So, again, just let me finish.

6 I mean if he's incarcerated, I guess it goes to her
7 motive to be sending him cheerful letters.

8 MS. GEDDES: In addition, though, the defendant was
9 well aware that all of his mail was being monitored by prison
10 officials and he instructed this witness, and other people
11 communicating with him, that under no circumstances were they
12 to write anything negative in a letter because it would be
13 caught.

14 And so, the fact that he was in jail and was very
15 cognizant of prison officials reviewing this is absolutely
16 relevant and goes to why it would be this letter versus a very
17 different letter.

18 THE COURT: Are there other letters that are written
19 before he was incarcerated that contain similar expressions of
20 affection?

21 MR. CANNICK: I'd have to check, Your Honor.

22 THE COURT: And maybe you just want to go with one
23 of those instead. Otherwise, I do think if she was given
24 certain instructions given the fact that prison officials are
25 going to be looking at the letters, that is another factor to

Jane - cross - Cannick

1187

1 consider.

2 I am going to suggest that you take a look. I am
3 not as familiar by any stretch of the imagination as you all
4 are by what the evidence is, so there may be something else
5 that is written when he's not incarcerated.

6 The other question that I have, though, how do you
7 want to do this thing with showing the witness the clip that
8 you want to show her?

9 MR. CANNICK: Mr. Scholar will show her.

10 THE COURT: But does it have to be on the record?

11 MR. CANNICK: I think the Government just, they have
12 no objection, but it's just a situation, and I don't want to
13 speak for the Government, but they would like her to view it
14 before we offer it.

15 THE COURT: Right, because they don't want the jury
16 to see it if it doesn't come in.

17 MR. CANNICK: Right.

18 THE COURT: So, I don't need to be here, do I?

19 MR. CANNICK: I don't think so.

20 MS. GEDDES: No.

21 THE COURT: All right. So, make whatever
22 arrangements you want to make. Well, I guess we have to make
23 a finding, though, that she either recognizes it or she
24 doesn't.

25 Let's bring her in and you can ask her those

Jane - cross - Cannick

1188

1 questions.

2 (Pause.)

3 (Witness enters and resumes the stand.)

4 THE COURT: All right, Mr. Scholar, can you just let
5 us know what piece of evidence you are showing the witness?

6 MR. SCHOLAR: Yes, Judge. We had marked these as
7 Defendant's Exhibit H and I.

8 THE COURT: H and I?

9 MR. SCHOLAR: Yes, Judge. I'm sorry.

10 THE COURT: That's all right.

11 MR. SCHOLAR: H and I.

12 THE COURT: And I think Mr. Scholar is going to show
13 you just on your -- does the witness have a monitor? Yes.

14 MR. SCHOLAR: If it's okay, I can just bring the
15 laptop over.

16 THE COURT: Okay, that's fine, too.

17 MS. GEDDES: I just want to make clear that there
18 are no names mentioned in the clip that you are going to play.

19 THE COURT: She is just going to watch it.

20 MS. GEDDES: But if it's going to be broadcast.

21 THE COURT: I don't think it is going to be
22 broadcast.

23 MR. SCHOLAR: I have headphones as well.

24 THE COURT: Maybe we will turn the microphone off.

25 THE WITNESS: Okay.

Jane - cross - Cannick

1189

1 THE COURT: This is simply to have the witness, as I
2 understand it, look at it and see -- well, I don't remember
3 what the question was, but so if you want to show it to her,
4 that's fine.

5 MS. GEDDES: Okay. Just to be clear, so the witness
6 understands too, that this is not being broadcast outside of
7 this room right here?

8 THE COURT: No.

9 Did you turn off the microphone?

10 THE WITNESS: Yes, ma'am, I did.

11 THE COURT: Okay.

12 MR. SCHOLAR: I can go ahead, Judge?

13 THE COURT: Yes, go right ahead.

14 (Video played for witness only.)

15 MR. CANNICK: May I, Your Honor?

16 THE COURT: Oh, yes.

17 Turn on your microphone, if you don't mind.

18 EXAMINATION CONTINUES

19 BY MR. CANNICK:

20 Q You recognize your voice in that audio?

21 A Yes, sir, I do.

22 Q Do you recognize the conversation?

23 A I do.

24 THE COURT: All right. So, now can we take our
25 break?

Jane - cross - Cannick

1190

1 Am I needing to rule on something?

2 MS. GEDDES: I honestly can't remember what the
3 initial question was.

4 MR. CANNICK: I think the Government was fine with
5 it, they just wanted to make sure that she would be able to
6 recognize it.

7 THE COURT: Okay. All right, so, is this something
8 you are moving into evidence?

9 MR. CANNICK: Yes.

10 THE COURT: All right, I couldn't hear it, but I am
11 assuming you all know what it is, so --

12 MS. GEDDES: Your Honor, I am just not sure why this
13 is admissible into evidence.

14 It may be if there's a prior inconsistent statement,
15 but I'm not sure that there is a prior inconsistent statement
16 because I don't recall what the specific question is that led
17 to Mr. Cannick asking about this recording.

18 THE COURT: Let me just go back.

19 (Pause.)

20 THE COURT: Okay, sorry, what piece of evidence is
21 this, P? Q?

22 (Pause.)

23 MR. CANNICK: Yes, but, Your Honor, if you could
24 excuse the witness, then maybe I could explain it.

25 THE COURT: Okay. Okay, let's take the witness out.

Jane - cross - Cannick

1191

1 (Witness steps down and exits the courtroom.)

2 MR. CANNICK: Your Honor, before we got here and we
3 skipped because --

4 THE COURT: Yes.

5 MR. CANNICK: -- before we got here I'd asked the
6 witness about the frequency in contacts with her parents and
7 whether or not she, of her own volition, chose not to reach
8 her parents during that particular segment.

9 And throughout her direct testimony she was saying
10 that it was my client who prevented her. And in this tape
11 it's clearly showing the inconsistency because she's,
12 basically, saying that no one stopped me, I did it myself.

13 THE COURT: Okay. Well, I didn't hear that, I'm
14 sorry, but you don't have any objection to that, do you?

15 MS. GEDDES: I would just like him to ask the direct
16 question, and then if she says something inconsistent, then
17 you can introduce it.

18 MR. CANNICK: I think she's been saying it all the
19 while.

20 THE COURT: Well, I think the gravamen of her
21 testimony on direct was, and I think even on cross, was that
22 she was kept from seeing her family. This is the opposite, it
23 sounds like to me.

24 MR. CANNICK: It is.

25 THE COURT: And so, I just think that the question

Jane - cross - Cannick

1192

1 then is -- well, I think it is certainly an inconsistent
2 statement. I think you still have to do the: Did you have an
3 opportunity to hear that and ask her -- you know how to do
4 this part.

5 MR. CANNICK: Foundational questions, yes.

6 THE COURT: This is intro cross.

7 MS. GEDDES: Right, but can we have her and give her
8 an opportunity to explain the statement?

9 We don't have copies of any of the defendant's
10 exhibits --

11 THE COURT: Why not?

12 MS. GEDDES: -- and it's going to be difficult for
13 me to even redirect on it because I don't have copies of it.

14 THE COURT: All right.

15 MR. CANNICK: Your Honor --

16 THE COURT: Hold on a second.

17 Well, if you are introducing it into evidence, I
18 mean I don't think he has to show you his entire cross
19 beforehand, but it probably would be --

20 MR. CANNICK: Your Honor, this is on -- all over
21 YouTube. And I am confident, I am absolutely confident the
22 Government is keenly familiar with this because it's just
23 there, and I'm sure they have seen everything that she's put
24 out.

25 THE COURT: I do think you said that you had seen

Jane - cross - Cannick

1193

1 it.

2 MR. CANNICK: Yes.

3 MS. GEDDES: I actually am not sure I have heard
4 that particular clip, but what I would like are copies of that
5 so that I have the actual recordings that are introduced into
6 evidence and copies of any other documents that are going to
7 be introduced into evidence.

8 I am not asking for their entire cross, just the
9 exhibits that they're planning to admit. The same way that
10 we, obviously, provided all of our exhibits.

11 THE COURT: I think that is a reasonable request.

12 MR. CANNICK: Voilá.

13 THE COURT: Let's take a break, okay?

14 MR. CANNICK: I need one.

15 THE COURT: Okay.

16 So, just so we're clear and so we sew this one up,
17 it's admissible as a prior inconsistent statement. I think
18 everybody agrees about that.

19 You want to be able to ask her about the context,
20 you can do it on redirect, which doesn't seem like we are
21 going to get to today.

22 Is that right, Mr. Cannick?

23 MR. CANNICK: I think that's about right, Your
24 Honor.

25 THE COURT: Okay.

Jane - cross - Cannick

1194

1 MR. CANNICK: But there's a possibility.

2 (Defendant exits the courtroom.)

3 (Judge ANN M. DONNELLY exited the courtroom.)

4 (Recess taken.)

5

6 (Continued on the following page.)

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1 (In open court; outside the presence of the jury.)

2 THE COURT: Everybody can have a seat.

3 All right. Shall we get the witness?

4 MS. GEDDES: May I ask one thing?

5 THE COURT: Let's wait for the defendant.

6 (Defendant present.)

7 THE COURT: You wanted to raise something.

8 MS. GEDDES: Under Rule 613(b), before the defendant
9 is permitted to offer evidence of a prior inconsistent
10 statement, it states that the witness must be given an
11 opportunity to explain or deny the statement and the adverse
12 party is given an opportunity to examine the witness.

13 So the government asks that before the statement is
14 admitted, that the witness be able to explain or deny the
15 statement.

16 THE COURT: Well, I don't know that that has to
17 happen on cross-examination. You mean before?

18 MS. GEDDES: It says prior to its admission into
19 evidence. It's Rule 613(b).

20 THE COURT: It's admissible only if the witness is
21 given an opportunity to explain or deny the statement and an
22 adverse party is given an opportunity to examine the witness
23 about it.

24 I don't know that -- I mean, maybe I'm revealing my
25 ignorance, but I don't know that the defendant has to do that

1 on cross. I just think she just has to be given an
2 opportunity to explain it which I'm going to give you.

3 Am I wrong about that? I mean, I've been at this a
4 little while but I don't, maybe I just have forgotten but I
5 think if there's an inconsistency which counsel has identified
6 which, to me, sounds like an inconsistency, he's shown, out of
7 the presence of the jury, has shown her or had her listen to
8 whatever the statement is and then it is an -- she just needs
9 to be given an opportunity to explain it.

10 MS. GEDDES: Right.

11 THE COURT: I'm not sure that he has to give her
12 that opportunity.

13 MS. GEDDES: But he is going to admit -- he's
14 admitting the evidence now.

15 THE COURT: Well, I'm not going to admit it until
16 the end. Isn't this how it works?

17 MS. GEDDES: I thought he was going to play it now.

18 MR. CANNICK: Yes.

19 THE COURT: I'm having a senior moment. I don't
20 think it's -- it's not in evidence. He's confronting her with
21 it which this one just happens to be unusual because it's a
22 tape recorded statement that the jury will hear, but if he
23 confronts her with another inconsistent statement, the
24 statement comes in, I think -- I mean, it sort of doesn't
25 matter because the jury is not going to hear it until you've

1 had the opportunity to do all of those things.

2 MS. GEDDES: If that's the case, then there's not a
3 problem but my understanding is that he was going to play it
4 now. If that's not the case --

5 MR. CANNICK: That was my intention, Your Honor.

6 THE COURT: But it's still not in evidence. I mean
7 it's just like anything else. It's like -- this has been
8 happening basically with everything that counsel has shown
9 her. He's shown her a statement. He said isn't it true that
10 you said X.

11 Now, what you could do, I think maybe what you're
12 asking me to do is say, Isn't it true that you said X at a
13 prior occasion without playing it, and maybe that's the way to
14 do it.

15 MS. GEDDES: But I really just want her to be given
16 an opportunity before it's played for the jury and --

17 THE COURT: I think this is a lot of --

18 MR. CANNICK: I'm trying to unplug.

19 THE COURT: -- drama over nothing, quite frankly.

20 I think perhaps the way to do it is to ask her, you
21 know, at the break, you were played, isn't it true that you
22 said X without playing the thing. I mean, is it -- it is true
23 when you're doing prior inconsistent statements, you don't
24 read the whole thing into evidence. I think the difficulty
25 that everybody is having is just the form that it's taking.

1 MR. CANNICK: Right, and because it's on audio, but
2 everything that she said she said in this tape, she was
3 confronted with through cross-examination.

4 THE COURT: I can't hear you. I'm so sorry. I'm
5 not doing that to torture you. I really can't hear you.

6 MR. CANNICK: No lunch.

7 Everything that she said during the audio, she was
8 confronted on cross-examination about that she gave a prior
9 inconsistent statement and she even gave, it doesn't matter
10 she gave prior, she gave inconsistent statement with that on
11 her direct exam as well but we confronted her about it on
12 cross-examination and now we want to show the jury a prior
13 inconsistent statement.

14 THE COURT: But I don't think she's been asked about
15 the statement yet. You just played it for her now.

16 MR. CANNICK: But she was asked about --

17 THE COURT: Let's do this because I think we're
18 taking up too much time with this. Let's start asking her --
19 and I'm at a little bit of a disadvantage just because I
20 didn't hear what it was. Ask her the classic, Did you have an
21 opportunity to listen to, whatever, H and I.

22 MR. CANNICK: Okay.

23 THE COURT: Isn't it true that you said X.

24 MR. CANNICK: I have to find my notes of it. I know
25 what you want.

1 THE COURT: Yes, just do it the regular old way and
2 then you don't play it. If it's an inconsistency and she
3 denies it, then it comes into evidence, I think, once you've
4 had a chance to explain it.

5 MR. CANNICK: Okay.

6 MS. GEDDES: Okay.

7 THE COURT: I feel like I'm in evidence class again.

8 MS. GEDDES: Are we ready to bring --

9 THE COURT: Let's start getting the jury -- well,
10 let's wait until she gets in here.

11 (Witness resumes the stand.)

12 THE COURT: Let's get the jury, please.

13 So just to be clear, we're talking about extrinsic
14 evidence, that's what the rule applies. So that's whether I
15 actually admit it into evidence. He can still
16 cross-examination her about it as impeachment.

17 MR. CANNICK: Right.

18 THE COURT: I feel somewhat better.

19 (Jury enters.)

20 THE COURT: All right, ladies and gentlemen. I
21 apologize for the delay. That one's on me. We were trying to
22 resolve an issue here but I think it moved things along a
23 little bit.

24 All right. Mr. Cannick, go ahead.

25 MR. CANNICK: Yes.

Jane - cross - Cannick

1200

1 BY MR. CANNICK: (Continuing)

2 Q Now, you testified earlier on direct examination that you
3 were on the Gayle King show?

4 A Pardon me?

5 Q You testified earlier on direct examination that you were
6 on the Gayle King show, the documentary?

7 THE COURT: Gayle King he's saying.

8 A Yes.

9 Q And on that show, you stated that your parents told you
10 to lie, am I correct?

11 A I did, yes.

12 Q And at that time that you gave that interview, you said
13 Robert was in the apartment?

14 A It was a hotel, yes.

15 Q And his lawyer was there as well, am I correct?

16 A I don't recall.

17 Q You don't recall Mr. Greenberg being there?

18 A No.

19 Q Do you recall his manager being there?

20 A No, I believe he had his spokesperson.

21 Q Do you recall that person's name?

22 A No, but he did have dreads.

23 THE COURT: I didn't hear you.

24 THE WITNESS: He had dreads like -- (indicating).

25 Q I want to go back to -- when you and Robert would go out

Jane - cross - Cannick

1201

1 and all of the girlfriends, he would open a door for you?

2 A Yes.

3 Q He would -- you and the others would not even move until
4 he got around to the other side of the car to open a door for
5 everyone, am I correct?

6 A What do you mean? What vehicle are you referring to?

7 Q Any vehicle. He would open a door if he was in the
8 vehicle with you?

9 A Yes.

10 Q Okay. And when you came into the room, when women came
11 into the room, he would stand?

12 A He was what?

13 Q He would stand up when women came into the room?

14 A He would?

15 Q He would stand up when women came into the room?

16 A Can you rephrase the question? I don't understand what
17 you're asking.

18 Q Okay. I'm going to show you what's in evidence as
19 Defense Exhibit 0.

20 You wrote that you told us earlier?

21 A Yes.

22 Q Could you read the highlighted portion, the portion
23 highlighted in yellow?

24 A Both sections or just the first?

25 Q The first section.

Jane - cross - Cannick

1202

1 A Okay.

2 My mother drove me to R. Kelly show in Jacksonville
3 at 10 or 11 p.m., four hours from our current location,
4 knowing we wouldn't arrive until about 2 or 3 a.m. well after
5 the show was over at the age of 17.

6 Q I'm going to ask you to look at what's been admitted no
7 evidence as Defense Exhibit P and ask you to read from the
8 highlighted portion from the top all the way down.

9 MS. GEDDES: I don't think P is in evidence yet.

10 Q P is something you wrote?

11 A Yes, sir, it is.

12 MR. CANNICK: Your Honor, I'm offering.

13 THE COURT: Any objection?

14 MS. GEDDES: No, Your Honor.

15 THE COURT: Okay. That's in evidence.

16 (Defense Exhibit P so marked.)

17 Q Can you read from where the yellow highlight begins?

18 A She also be sending him pictures of me in crop tops and
19 tight clothes pretending to be me. I had no idea she had
20 already been texting him acting like me but once I found out,
21 I continued to just go along so they wouldn't be upset with
22 me. My parents told me to tell him I sing and dance so I sent
23 him a video of me doing both. They told me what to wear which
24 ended up being a crop top and tights. They watched me as I
25 made the video and said nothing about it.

Jane - cross - Cannick

1203

1 I first met R. Kelly -- the first time I met
2 R. Kelly, I told my parents where I was, the hotel I'd be in
3 and once I got there, after about 30 minutes, they planned to
4 call the police. The police asked me my age. I told them I
5 was 18. They checked my ID and saw nothing.

6 Q Okay. Could you read the last paragraph a little slower,
7 please?

8 A Yes.

9 The first time I met R. Kelly, I told my parents
10 where I was, the hotel I'd be in and once I got there, after
11 about 30 minutes, they planned to call the police. The police
12 asked me my age. I told them I was 18. They checked my ID
13 and saw nothing.

14 Q Now, I'm going to show you what's been marked as Defense
15 Q for identification.

16 Do you recognize it?

17 A One second.

18 (Pause.)

19 A Yes, I do.

20 Q That's something you prepared, am I correct?

21 A Correct.

22 Q There's some handwritten notes on the side of it, am I
23 correct?

24 A Yes.

25 Q You wrote those, am I correct?

Jane - cross - Cannick

1204

1 A One second.

2 (Pause.)

3 A Yes, I did.

4 MR. CANNICK: I'm offering it, Your Honor, Defense
5 Exhibit.

6 THE COURT: Any objection?

7 MS. GEDDES: May I see?

8 MR. CANNICK: I'm going to change the marking on
9 this, Your Honor, to R.

10 THE COURT: R? Okay.

11 MS. GEDDES: So you are going to remark this as R?

12 MR. CANNICK: Yes.

13 MS. GEDDES: No objection.

14 THE COURT: Okay.

15 (Defense Exhibit R so marked.)

16 Q I want you to slowly read -- well, I'll, first, ask a few
17 questions.

18 A Okay.

19 Q That's a letter you wrote to whom?

20 A I wrote this to the defendant.

21 Q Could you speak a little bit louder, please?

22 A To the defendant.

23 Q And you wrote this letter to him after you had separated
24 from him as you explained this morning, am I correct?

25 A Yes.

Jane - cross - Cannick

1205

1 Q And what is it that you call him at the beginning of this
2 salutation at the beginning?

3 A "Hey, Bear."

4 Q And could you read it for us?

5 A The entire thing or what's just highlighted?

6 Q Read the entire thing. Read it slowly.

7 A Okay.

8 Hey Bear, so because of the circumstances that we're
9 under, it's hard for me to do anything without talking about
10 you yet still supporting you. I know you personally don't
11 want to speak about our private life and neither do I. So
12 because of that, I would have to support you privately and not
13 publicly but right now, I am still attached to you but in
14 order for me to have my own name, image, brand and businesses,
15 I would just have to be just me, not Jane, the girlfriend.

16 Luckily --

17 MS. GEDDES: Judge --

18 THE COURT: All right. Go ahead.

19 MR. CANNICK: May I approach the witness?

20 THE COURT: Yes.

21 (Pause.)

22 MR. CANNICK: She can continue, Your Honor?

23 THE COURT: Yes.

24 A Luckily, we talked about this act the last visitation.

25 Nothing changes. You have your reasoning and I have my

Jane - cross - Cannick

1206

1 reasonings. We left on a good note as friends who support one
2 another and will always love -- and I will always love and
3 support you, Bear. And you know me. I'm going to still check
4 people from time to time because I still love you but for the
5 most part, I just wanted to let you know because I know things
6 don't always go the way we plan it.

7 I love you and I wish I was in Chicago but it's
8 going to stay this way until you give everyone a clear
9 understanding in our household or not. I would have thought
10 after your first visitation, that would have been the first
11 thing you fix, but apparently not which is also fine but just
12 know I am always here. I have no bad feelings, Bear. At the
13 end of the day, you know my word and more importantly, I know
14 my word and I just don't want to be in an environment where
15 there is no clear understanding something you have the power
16 to fix. I can only tell you I can't force you to do anything
17 and vice versa, but I will definitely continue to write you
18 and send you pictures, Bear.

19 I love you so much and just know everything from
20 this point out is all politics. No matter what, I will always
21 be respectful of myself and you and you will never, ever see
22 me doing anything to hurt you, Bear. I just want to make you
23 proud and I want to make you happy for me more than anything.
24 Me and cookie miss you so much and I wish I could see you at
25 visitation.

Jane - cross - Cannick

1207

1 Q Now, this letter was written by you to Mr. Kelly months
2 after you had separated from him, am I correct?

3 A Not months after, no, that is not accurate.

4 Q When was it written?

5 A It had to have been immediately after I left him.

6 Q And you said you left in October of 2019?

7 A Yes.

8 Q And when you said immediately, you're talking the next
9 day?

10 A No, meaning that it would have happened within those
11 months because by January, I had no more communication with
12 him.

13 Q Now, before October of '19, there was a separation
14 between the two of you, am I correct?

15 A That is correct.

16 THE COURT: I'm sorry. The jurors are indicating
17 they can't hear you. I'm sorry, Mr. Cannick.

18 MR. CANNICK: I'll move it closer.

19 THE COURT: I don't think it's on.

20 MR. CANNICK: It's on. I think it's the battery.

21 THE COURT: Let's see if we can get it fixed.

22 (Pause.)

23 Q You now you testified that you don't have a recollection
24 as to the date that you sent that letter?

25 A Yeah, I don't.

Jane - cross - Cannick

1208

1 Q I'm going to show you something to see if it refreshes
2 your recollection.

3 Do you see the date on that document?

4 A I do.

5 Q Does that refresh your recollection as to the date you
6 sent this letter to Mr. Kelly?

7 A I don't recall sending that from that location.

8 Q This is your handwriting?

9 A Yes, that is my handwriting, correct.

10 Q And that handwriting is on the envelope, am I correct?

11 A Yes, sir.

12 Q Now, that's an envelope addressed to Mr. Kelly?

13 A Yes, sir.

14 Q And the date on that envelope is December 2, 2019?

15 A Yes, sir.

16 MR. CANNICK: Your Honor, may I approach and see if
17 the witness has Q?

18 THE COURT: Yes.

19 Q Do you have any documents here?

20 A No.

21 (Continued on next page.)

22

23

24

25

JANE - CROSS - CANNICK

1209

1 MR. CANNICK: Your Honor, I think this was
2 previously marked, but if not, Defense Q for identification.

3 THE COURT: Okay.

4 CROSS-EXAMINATION (Continued)

5 BY MR. CANNICK:

6 Q Could you look at Q and see -- for identification and see
7 if you recognize it? The front portion, please.

8 A Oh, sorry.

9 Yes, I do.

10 Q Is that something that you prepared?

11 A Yes, sir, it is.

12 MR. CANNICK: I offer this Defense Q.

13 THE COURT: Any objection?

14 MS. GEDDES: No, Your Honor.

15 THE COURT: Okay, that's in evidence.

16 (Defense Exhibit Q, was received in evidence.)

17 BY MR. CANNICK:

18 Q Could you read it to the jury slowly please and loud?

19 A Where would you like me to stop?

20 Q Stop at the end of the first page.

21 A Bear you remember Bambi?

22 Q You have to read it louder, please.

23 A Bear you remember Bambi.

24 Oh Bambi I won't lie.

25 If I weren't in this spiderweb of mine.

JANE - CROSS - CANNICK

1210

1 If grandfather never had seven wives.
2 Then darling you would be the love of my life.
3 Oh Bambi it's my design.
4 To run the jungle I must be a lion.
5 Or be a cheetah but neither is fine.
6 Don't wanna hurt my dear love of my life.
7 Bambi, Bambi.
8 My dear, my dear, my dear.
9 Bambi, Bambi.
10 My dear, my dear.
11 My dear, I want you here.
12 Bambi don't get too near for there's lions, beware.
13 We use to love that song, I just keep thinking of
14 all of our memories, when you first recorded me devouring
15 McDonald's LOL! And when we first met and when we first went
16 to the big house and I said I wanna be where you want to be
17 and how I use to happily wait for you to come home from
18 meetings! When you use to buy like \$500 worth of Red Lobster
19 laid out all over the piano room. I remember you played the
20 piano and it was just me and you, when we carved our initials
21 into that table and when you used to stop for me and call.
22 Q Read the other side.
23 A You call me on FaceTime. I wish things could have stayed
24 exactly like that. But it's okay poppa bear everything
25 happens for a reason and I know we will get out of this.

JANE - CROSS - CANNICK

1211

1 I no leave you Jamais Jamais, Jamais Jamais!

2 Can't wait for us to listen to Caribbean music
3 again, and I'm going to learn that boxing dance you do.

4 Q Stop there.

5 When did you send this to Mr. Kelly?

6 A I don't recall when.

7 Q This was after the separation between the two of you; am
8 I correct?

9 A I believe that these were when I was with the defendant.

10 Q Beg your pardon?

11 A I believe that was written when I was with the defendant.

12 Q Okay. Where were you at the time when you wrote that?

13 A I believe Trump Towers.

14 Q And he was not there; am I correct?

15 A No, he was not.

16 Q Okay. And this was -- you were asked earlier this
17 morning by the government about viewing the -- the Lifetime
18 documentary.

19 Remember the government asking you that?

20 A Correct, yes.

21 Q And this was written after the Lifetime documentary; am I
22 correct?

23 A I don't believe that is accurate.

24 Q Do you know what year the Lifetime documentary was
25 written? Was shown?

JANE - CROSS - CANNICK

1212

1 A No, I'm sorry, I didn't keep up with it.

2 Q Okay, but you can say categorically that that was written
3 before the Lifetime document?

4 MS. GEDDES: Objection.

5 THE COURT: Overruled.

6 I think your jacket might be obscuring your
7 microphone.

8 All right. And it's just harder to hear you.

9 That's all.

10 MR. CANNICK: I'm sorry, could I have that last
11 question and answer?

12 (Whereupon, the record was read.)

13 Q Documentary.

14 A Which one are you referring to, because there was a few.

15 Q You said which one?

16 THE COURT: I wonder if it's better to just direct
17 her to a date, Mr. Cannick.

18 THE WITNESS: Yes.

19 BY MR. CANNICK:

20 Q You mentioned this morning on direct examination that
21 you -- you were asked specifically about a Lifetime
22 documentary.

23 Do you remember that?

24 A Yes, sir, I do.

25 Q And I'm asking you, did you write that letter before or

JANE - CROSS - CANNICK

1213

1 after the Lifetime documentary?

2 A I don't recall when the Lifetime documentary came out.

3 There were multiple.

4 Q Multiple on Lifetime?

5 A Yes.

6 Q Okay. Now the -- but the letter that you read just a
7 short while ago, that letter was written, you said, after
8 October 2019; am I correct?

9 A I said that?

10 MS. GEDDES: Are you referring to?

11 MR. CANNICK: Is it Q?

12 MS. GEDDES: Defense Q?

13 MR. CANNICK: No, not Q, R.

14 BY MR. CANNICK:

15 Q I showed you an envelope.

16 A Right.

17 Q And this was a letter from the envelope; am I correct?

18 A Correct.

19 Q And that envelope had December 2nd, 2019, on the back; am
20 I correct?

21 A Yes.

22 Q And it's your testimony to us that you don't recall when
23 the documentary -- what is it, "Surviving R. Kelly"?

24 A The defendant was still at Trump Towers when that was
25 released.

JANE - CROSS - CANNICK

1214

1 Q And my question now --

2 A Those letters were written when he was no longer there.

3 Q There's no question before you right now.

4 Now, going back to during the break you listened to
5 an audio recording. Remember that?

6 A Yes, sir.

7 Q And in that audio recording, you spoke about
8 communication with your family; am I correct?

9 A Yes, I did.

10 Q And, in fact, you said that:

11 I understand and I respect that completely, but I
12 feel like for me where it was hard was so hard for me and why
13 I continued to not have communication with my family is
14 because this Lifetime documentary stuff just happened within
15 the last two years. And then I've known -- I knew where these
16 last two years -- I'm sorry, I'm just trying to get -- within
17 the last -- I'm going to start again, Your Honor.

18 I continued to not have communication with my family
19 is because this Lifetime documentary stuff just happened
20 within the last two years. And then I've known these last two
21 years you hear, Oh my God, this is happening. Oh my God, that
22 is happening. I just feel like now how can you be so
23 oblivious to the years that I was okay and just now, Oh my
24 God, I need to know where my daughter is at? She's this.
25 She's that. I need to make sure she's okay.

JANE - CROSS - CANNICK

1215

1 I've been okay for three years prior. That's where
2 I drew my line because at that time -- at that point, I was an
3 adult. At that point, I felt like I was okay, so believe -- I
4 was okay, so to believe something like that so extreme, so
5 bizarre, so outrageous, I just couldn't even fathom my
6 parents -- my parents believing something as bizarre as that.
7 I really couldn't.

8 That's what was said by you in that audio?

9 A Yes, sir.

10 Q And this audio was made when?

11 A I believe that audio -- I actually don't recall when that
12 audio was made, sorry.

13 Q Do you have an approximate as to when that audio was
14 made?

15 A It could have been anywhere from October to January.

16 Q Of what year?

17 A October of 2019 to January of 2020.

18 Q And you were speaking with your father in that, correct?

19 A Yes.

20 Q And then you go on to say: Things didn't go right. My
21 communication slowed down because at that point I was an
22 adult.

23 You said further: I would call you guys four, five
24 times -- four or five months at a time, and when I would call
25 you guys, you guys would be yelling. You guys would be

JANE - CROSS - CANNICK

1216

1 cursing me out. Mommy would be yelling at the top of her
2 lungs, and so what I do, I would say I'm going to give you
3 about four to five months, and hopefully you just miss me so
4 much that you just want to talk to me and open your arms. And
5 eventually it got there.

6 Further said: That you're not checking in every
7 day.

8 A What was that last thing? I'm sorry.

9 Q You said, so let me ask you this: Before graduation, I
10 was not even checking in every day.

11 Then you go on to say: Now maybe like once a week,
12 every two weeks or so, I would call y'all.

13 You go on to say: Robert would ask me to call you
14 guys. And no matter what city we were in, he would say, Is
15 this your father's number? Or is this your mother's number?
16 And I was -- and it would say "Call me," and I would say that
17 is my father's number.

18 He was like, you need to call him. And I would say,
19 I'm not going to call him. Because at this point the only
20 thing I get is bickering every time I pick up the phone. So
21 if I can avoid it, if I can enjoy myself in this nice little
22 penthouse while we're in New York for the weekend, I'm going
23 to enjoy my weekend.

24 It was very suffocating because I was an adult, and
25 at the end of the day, period, I am not obligated to answer

JANE - CROSS - CANNICK

1217

1 anyone going to know that you are my father. But I'm not
2 obligated.

3 Then you go on to say: Anyone who thinks that I'm
4 brainwashed and not know a smart -- I'll try again. Anyone
5 who thinks that I'm brainwashed and not know smart enough to
6 make my own decisions, I just feel like that determines how,
7 you know, their mentality.

8 Rob, our conversation that I had with him in
9 Chicago, you know he inspired me and told me, Bear, just do
10 what you want. Do what makes you happy. He told me to
11 continue to pursue my dreams, pursue whatever I wanted to
12 pursue. And that's really all I want to do.

13 When you were mentioning "bear" there, you were
14 mentioning Mr. Kelly; am I correct?

15 A Yes.

16 Q And that's what you said that he told you at the last
17 conversation you had?

18 MS. GEDDES: Objection.

19 THE COURT: I didn't hear the last part.

20 Q That's what you said and he told you at the last
21 conversation you had with him?

22 THE COURT: Is that true?

23 The objection is overruled.

24 A What do you mean by that last question?

25 Q You testified -- you said here, in your conversation to

JANE - CROSS - CANNICK

1218

1 your dad, that that was the last thing that Robert said to you
2 when you guys spoke in Chicago the last time.

3 A That was not true.

4 Q So that wasn't true, you told a lie?

5 A Yes.

6 Q Robert wasn't around then; am I correct?

7 A He was not, no.

8 Q And you posted this on social media?

9 A I did not, no.

10 Q Do you know who posted on social media?

11 A It was a friend of the defendant's.

12 Q A friend of the -- of Robert?

13 A Yes.

14 Q Okay. But the defendant -- Robert was with you and your
15 dad when you made this tape?

16 A Yes.

17 Q This was a tape that you and your dad made; am I correct?

18 A No, this is not.

19 Q You and your dad participated in it?

20 A Yes.

21 Q And you had a back and forth exchange; am I correct?

22 A It was an interview, yes.

23 Q And you said: All women that have been associated with
24 Robert, I feel like, this is me personally, once they saw him,
25 they saw him as a celebrity, not as a human being. They

JANE - CROSS - CANNICK

1219

1 didn't not meet him at church. They were infatuated with him,
2 with that celebrity, and because of that, I feel like a lot of
3 them just baited him because of that.

4 Because of who he was. Because of the life that he
5 had. Because of the life that he could provide. And a lot of
6 them talk about how badly they were treated. But they don't
7 talk about the shopping sprees, the hair, the nail salon. And
8 the great times that you had at dinner and you were spending
9 money and splurging.

10 You were as happy, because one thing, Robert, he's
11 very giving. He has a very giving heart, and there's no way
12 whatsoever that he has a reason to keep you kidnapped or tie
13 you up or hold you against your will.

14 That's what you said in that interview, right?

15 A I did say that.

16 Q Okay. Now you also wrote a letter to your father...

17 I'm going to show you what's been marked as Defense
18 Exhibit S for identification.

19 May I speak with the government?

20 THE COURT: Sure.

21 (Pause in the proceedings.)

22 MR. CANNICK: Your Honor, for the record, Defense
23 Exhibit -- Defense S for identification. They're multiple
24 letters in a pack.

25 THE COURT: Okay.

JANE - CROSS - CANNICK

1220

1 BY MR. CANNICK:

2 Q Can you look through those, please.

3 (Continued on the following page.)

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Jane - cross - Cannick

1221

1 (Continuing.)

2 THE WITNESS: Excuse me, you said all of these were
3 to my father?

4 MR. CANNICK: Just read through them and see if you
5 recognize them.

6 THE WITNESS: Okay.

7 (Pause.)

8 MS. GEDDES: Your Honor, can we have a moment at
9 sidebar while the witness is reading?

10 THE COURT: Sure.

11 (Sidebar held outside the hearing of the jury.)

12

13 (Continued on the following page.)

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Sidebar

1222

1 (The following sidebar took place outside the
2 hearing of the jury.)

3 THE COURT: First of all, we've got to help you out
4 with your microphone. I am not trying to throw you off your
5 game or anything, but the thing is the court reporter can't
6 hear you when it goes off and I can't always hear you.

7 And so, I'll talk to Donna to see if we can get
8 something that works a little better.

9 MR. CANNICK: Okay.

10 THE COURT: But I know it's annoying to constantly
11 be told "We can't hear you," and I am not trying to do that.

12 MR. CANNICK: I know, Judge.

13 THE COURT: So, this is a text message from the
14 witness, and to whom is it written?

15 MR. CANNICK: I have to find out from her. We just
16 found it.

17 MS. GEDDES: I think that it is a post, potentially
18 written by her. It may well have been written by her.

19 My only objection is I don't think she ever
20 testified that she was held against her will.

21 Wrong person. You need to stop.

22 And by introducing it, it suggests that this is like
23 some big gotcha moment. She never -- she just never said she
24 was held against her will.

25 THE COURT: It is clearly relevant. The only thing

Sidebar

1223

1 I am concerned about is I really don't want her, can we --

2 MR. CANNICK: Get her name out?

3 THE COURT: -- take the name out? Yes.

4 MR. CANNICK: Right.

5 MS. GEDDES: But if defense counsel said: You
6 weren't held against your will?

7 She would say: No, I wasn't held against my will.

8 MR. CANNICK: No, but I --

9 THE COURT: Okay, but the tenor of that --

10 MR. CANNICK: Yes.

11 THE COURT: -- the tenor of the case is that, I mean
12 I am assuming the theory of the Government's case is that she
13 did not feel free to leave, whether it's psychological control
14 or -- and I mean I am assuming your expert is going to talk
15 about the features of young people in these situations and I
16 am assuming your expert could explain what this is, but he is
17 entitled to put it in.

18 But can we please, I really would like, can you
19 cover that?

20 MR. CANNICK: Yes. I won't even introduce it today,
21 because I am about to ask you for a favor. I am worn out.

22 THE COURT: I know, that's fine.

23 (Sidebar concluded.)

24

25 (Continued on the following page.)

Proceedings

1224

1 (In open court - jury present.)

2 THE COURT: Okay.

3 Ladies and gentlemen, we have another little issue
4 that we have to resolve and I think, given the time, it
5 probably makes sense for us to break today. We are still on a
6 good path, don't be concerned.

7 So, we will stop for the day. Please don't talk
8 about this case at all. Don't read anything that might be
9 reported on it or watch anything or look on social media or
10 look up the case at all.

11 But do have a good and restful night, and I will see
12 you tomorrow at the same time.

13 All right, have a great night.

14 THE COURTROOM DEPUTY: All rise.

15 (Jury exits.)

16 MR. CANNICK: May I get the document back?

17 THE COURT: Sure.

18 MR. CANNICK: Thanks.

19 THE COURT: And you can take the witness. We'll see
20 you tomorrow.

21 (Witness steps down and exits the courtroom.)

22 THE COURT: All right, I think you are going to make
23 those adjustments to that exhibit.

24 MR. CANNICK: Yes.

25 THE COURT: And then, as I ask everyone every night,

Proceedings

1225

1 do you have a feeling of how much longer you might be?

2 MR. CANNICK: I am hopeful that we'll finish with
3 this witness right near the break point.

4 THE COURT: Okay. And then I know will you'll have
5 some redirect.

6 Just a general reminder, Judge Donnelly's trial
7 advocacy class, we don't have to go over all the points that
8 were made on direct examination, but I am just throwing that
9 out there as a general tip.

10 MR. CANNICK: Okay.

11 THE COURT: But I assume you will have some,
12 certainly.

13 MS. GEDDES: Yes.

14 THE COURT: Which is fine.

15 And then, do you have a sense of whether you have
16 longer witnesses tomorrow or shorter witnesses?

17 MS. GEDDES: We definitely have shorter witnesses
18 than the one that's currently on the stand.

19 THE COURT: Okay.

20 MS. GEDDES: We will take a look at our schedule and
21 determine who it makes sense to call tomorrow.

22 THE COURT: Okay.

23 Also, and I think I said this before, just to the
24 extent, and I really don't like to put people on the spot
25 about this, but just to the extent that there's no dispute

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1 about certain pieces of physical evidence, if there are things
2 that you can agree on before so we can move things along a
3 little more quickly, I think that's to everybody's benefit.

4 I understand that you may have other things on your
5 mind than sitting down and figuring out what evidence you
6 agree on, but if you can do that, that would probably speed
7 things up a little bit.

8 Anything else that we have to talk about today?

9 MS. GEDDES: Your Honor, if we might, could we just
10 have a brief sidebar to address an unrelated issue to today's
11 witness?

12 THE COURT: Yes.

13 (Sidebar held outside the hearing of the jury.)

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15 (Continued on the following page.)

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Sidebar

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1 (The following sidebar took place outside the
2 hearing of the jury.)

3 MS. GEDDES: The Government, as I've indicated to
4 counsel and to the Court, intends to call a witness from the
5 Loggans law firm where --

6 THE COURT: Right.

7 MS. GEDDES: -- Ms. Pace initially provided that
8 cell phone and the T-shirt to further establish the chain of
9 custody.

10 The two witnesses who are available to do that are
11 insisting that they cannot travel to New York because of the
12 pandemic.

13 I am prepared --

14 THE COURT: Doesn't one of them have like a
15 hundred-year-old mother?

16 I don't know where I read that.

17 MS. GEDDES: Oh, yes, you saw that e-mail that was
18 sent to me.

19 THE COURT: Yes.

20 MS. GEDDES: Yes.

21 So, to the extent that counsel -- my understanding
22 from, at least initially, from defense counsel is that they
23 were not going to agree to allow this particular witness to
24 testify by video and we are prepared to seek other avenues.

25 However, I do think that it would probably be easier

Sidebar

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1 to simply have her testify by video.

2 The reason why we need to address it now is that
3 it's my understanding that she is traveling internationally on
4 the 28th and I don't want to lose her before she leaves.

5 MR. CANNICK: Your Honor, could you give us
6 another -- I can't make a decision.

7 If you give me an opportunity, maybe we can, if the
8 marshals hold him for about five or ten minutes, we can have
9 some discussions to see whether or not we can --

10 MS. GEDDES: Because if not, I am going to prepare,
11 I have prepared a material witness warrant, which I am going
12 to ask Your Honor to sign because I have to do it before the
13 28th.

14 THE COURT: I guess it's too late to do a Rule 15.

15 MS. GEDDES: I think realistically -- I don't
16 think -- I think, honestly, it would be better just to have
17 her testify by video.

18 THE COURT: Video.

19 MR. CANNICK: Of course.

20 MS. GEDDES: And it's effectively the same thing.

21 THE COURT: I mean just in terms of, you'll have
22 your conversation.

23 Do you want me to ask them to hold him?

24 MR. CANNICK: Yes, please.

25 (Discussion off the record.) (Sidebar concluded.)

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1 (In open court - jury not present.)

2 THE COURT: All right, we have just been having just
3 really scheduling questions.

4 You know, I know that there are some witnesses who
5 may be traveling here from other places. Since we have the
6 Delta variant and the situation in New York has become more
7 difficult, I know there is some concern about witnesses that
8 might have to travel.

9 Having done this a few times by video, it is
10 actually somewhat more efficient. And if the parties can
11 agree on witnesses who may not be the key to the case, let's
12 say, that having them testify by video, I think that's really
13 to everybody's benefit.

14 I know there is one witness who is reluctant to fly
15 in from Florida, which I think we all agree is quite a
16 hotspot, and that that person has obligations to an elderly
17 person that make the person unwilling to travel.

18 I am going to encourage the parties to try to agree
19 upon that. I don't think there is any benefit to forcing the
20 person to come up here. I don't know what the person's
21 vaccination status is, and I really am reluctant to subject
22 the people in the courtroom and the jurors to somebody who is
23 coming from a hotspot and we don't know what their vaccination
24 status is.

25 Like I said, I don't think this is the key to the

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1 case. I think this is a tangential witness. It's possibly a
2 witness that you could stipulate to. And so, I am going to
3 just suggest that you do that.

4 How many witnesses are we talking about that are in
5 this position of --

6 MS. GEDDES: There are two witnesses who are in this
7 position.

8 There are a few additional witnesses whose testimony
9 will be very, very short and it will be great if we could
10 either reach a stipulation or allow them to testify by video,
11 just to save everybody the trouble of having to fly to
12 New York for seven minutes of testimony.

13 THE COURT: Well, and I don't know what the
14 witnesses are testifying about. I think everybody should be
15 mindful of the fact that we've got jurors here that are giving
16 up, as jurors do in every case, but if there is a way to not,
17 I mean I don't know who the witness is, but if it's somebody
18 who is going to testify about business records or something,
19 that is a waste of time. That is something that you should
20 really be able to stipulate.

21 I can't force you to stipulate to it, but I don't
22 think it's in anybody's interest to have a bunch of boring
23 witnesses come on that you are really not disputing.

24 So, I am going to direct the parties to make their
25 best efforts to come to some kind of an accommodation, either

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1 by stipulation or by video.

2 And we are in a little bit of uncharted territory
3 here in terms of what the Court can order under these, with
4 the health, with the pandemic like this, but I really don't
5 see why you wouldn't agree to that. I don't know why you
6 would want to bring somebody in here from a hotspot, who we
7 don't know what their vaccination status is and all of that.

8 So, does anybody else need to be heard on this?

9 MS. GEDDES: The Government does not.

10 THE COURT: Okay.

11 This happens in trials all the time, and you seem to
12 have been getting along pretty well and it just seems to be a
13 reasonable accommodation.

14 So, I think that's all.

15 MR. CANNICK: Your Honor, I would just ask if we be
16 given an opportunity that the marshals accommodate us that we
17 be given five minutes that we can start discussions.

18 THE COURT: Yes, I think they've agreed graciously
19 to do that.

20 I do want to thank the marshals for their help and
21 hard work during the course of this trial.

22 All right, so, yes, and so thanks for doing that.

23 And, yes, you can certainly do that.

24 Anything else?

25 MR. CANNICK: No.

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1 THE COURT: Okay, thank you so much.

2 (Judge ANN M. DONNELLY exited the courtroom.)

3 (Defendant exited the courtroom.)

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5 (Matter adjourned to August 25, 2021 at 9:30 a.m.)

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1 I N D E X

2 WITNESSES:

4 JANE

5	DIRECT EXAMINATION (Cont'd) BY MS. GEDDES	1020
6	VOIR DIRE EXAMINATION BY MR. CANNICK	1029
7	DIRECT EXAMINATION (Cont'd) BY MS. GEDDES	1031
8	CROSS-EXAMINATION BY MR. CANNICK	1073

11 EXHIBITS:

13	Government Exhibit 49	1031
14	Government Exhibit 50	1032
15	Government Exhibit 68	1035
15	Government Exhibits 457 through 460	1052
16	Defense Exhibit N	1098
17	Defense Exhibit O	1178
18	Defense Exhibit P	1202
18	Defense Exhibit R	1204
19	Defense Exhibit Q	1209

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